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# LIVES

OF THE

# GOVERNORS

OF

# PENNSYLVANIA,

WITH THE

## INCIDENTAL HISTORY OF THE STATE,

FROM

1609 TO 1873.

BY

WILLIAM C. ARMOR.

New Edition, Revised and Enlarged.



PHILADELPHIA:
JAMES K. SIMON,
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1873.

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WILLIAM PENN.



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THESE MEMOIRS

OF THE

Governors of Pennsylvania,

IN THE HOPE

THAT AN EMULATION OF THEIR VIRTUES MAY BE INCITED,

Are Inscribed

BY THE COMPILER

TO THE

YOUNG MEN OF HIS NATIVE STATE.

# PREFACE.

A DEEP interest is universally manifested in the personal history of any citizen who, by talent, enterprise, and virtuous devotion to an honorable calling, and the prompt and willing discharge of civic and social duties, acquires extensive fame. To gratify this feeling, and thereby perform an important duty to all classes, but particularly to the young, has been the aim in the following pages. The material has been collected under many difficulties. Strange as it may appear, biographers and historians have failed to give any adequate notice of the lives of our Governors. This neglect has been deeply felt by the compiler of this volume. His researches have extended over a broad field, and, with the exception of those whose fame is world-wide, only meagre sketches of a few of the Chief Magistrates could be found. What at first was thought would be but the labor of a few months has extended over a period of six years. During this time, wherever lineal descendants of any of the Governors could be traced, they were applied to for information concerning their ancestors; files of old newspapers have been scanned; historical and biographical works gleaned, documents in the archives of the State carefully examined, and, besides the numerous works consulted, many facts have been obtained by conversations with aged citizens.

In collecting and writing these biographies, however, in addition to the duty that I felt I was performing in placing in a permanent form much that would have soon passed into oblivion, I have experienced a personal gratification suf-

ficient in itself to compensate for the time and labor given to the task, although both were greater than any one who has not undertaken a similar experiment can conceive.

With the result of my researches before me, I felt my inability to give the work that literary finish necessary in a publication of this kind. In seeking for some one to assist me in this all-important labor, my choice fell upon SAMUEL P. BATES, LL. D., and member of the Historical Society of Pennsylvania, who kindly consented to undertake it. He brought to the task a ripe experience, as the author of the History of the Pennsylvania Volunteers, and numerous educational works, which, with his scholarly ability and judgment, is full warrant that it has been finished with fidelity and success. The labor was one of no small magnitude, and for his kind offices I here tender him my most grateful acknowledgments.

The endeavor has been to give a graphic and comprehensive record of the public acts of each Governor, free from any partisan influence, and to allow each one to speak for himself through the history of his public career. Joseph R. Chandler has well said: "In all countries the character of the great and the good has been deemed part of the public fame; and nations which have derived political or pecuniary advantage from the talents and labors of their distinguished citizens living, have put in a claim to the posthumous credit of these men, as if a portion at least was to escheat to the benefit of the Commonwealth."

In harmony with this sentiment have the following pages been compiled. A record of the lives of our Governors, free from the partisan hate and the slanderous allusions that political warfare has engendered, is here presented. No fear of criticism, inspired by a difference of political faith, has prevented our speaking of each individual Governor in fit terms of eulogy. We are proud to believe that a nobler list is not possessed by any State in the Union, nor one whose public acts will bear closer scrutiny.

In addition to the biographical sketches of the Executive officers, there is also preserved in connection therewith a

complete epitome of the history of the State from its origin to the present time. It is believed that this will prove one of the most interesting and valuable features of the work.

It would be mere pedantry to refer to all the sources of information that we have consulted, but we cannot omit mention of the following valuable works: — Colonial Records and Pennsylvania Archives; Hazard's Annals of Pennsylvania; Hazard's Register; Niles' Register; Smith's History of Delaware County; Watson's Annals of Philadelphia; Proud's History of Pennsylvania; Gordon's History of Pennsylvania; Publications of the Historical Society of Pennsylvania; National Portrait Gallery; Griswold's Republican Court; Creigh's History of Washington County; I. D. Rupp's Histories of the several Counties of the State; Sanderson's and Goodrich's Signers of the Declaration; Documentary History of New York; Drake's Dictionary of American Biography; Day's Historical Collections of Pennsylvania; Dawson's Historical Magazine; Bancroft's History of the United States; Irving's Life of Washington; Lossing's Battlefields of the Revolution, and Pictorial History; and Westcott's History of Philadelphia, now being published in the *Sunday Dispatch.*

To Dr. William H. Egle, of Harrisburg, the compiler is under special obligations for much aid in facilitating the prosecution of his task, and for the use of his valuable historical library. The following gentlemen, also, rendered me invaluable aid in furnishing data: John K. Findlay, Philadelphia; Joseph Ritner, Mechanicsburg; William A. Porter, Philadelphia; William Moore, Clearfield; James W. Clarke, Williamsport; Alexander K. McClure, Philadelphia; Wien Forney, Harrisburg; A. L. Russell, Adjutant-General, Harrisburg.

I am also indebted for many friendly offices to Hon. F. Jordan, Secretary of the Commonwealth; Hon. J. P. Wickersham, Superintendent of Common Schools; John McCurdy, Superintendent of Public Printing, Harrisburg; A. Boyd Hamilton, Harrisburg; Rev. James Shrigley, Librarian, and John Jordan, Jr., Townsend Ward, and Ferdinand J. Dreer,

members of the Historical Society of Pennsylvania; Thompson Westcott, editor *Sunday Dispatch* of Philadelphia; William Dorsey, Philadelphia; Horace W. Smith, Falls of Schuylkill; and J. Smith Futhey, of West Chester. The warmth with which their services were rendered will always be a source of pleasant remembrance.

W. C. A.

HARRISBURG, *September* 19, 1872.

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# PART I.

# PERIOD OF SETTLEMENT.

# LIVES

OF THE

# GOVERNORS OF PENNSYLVANIA.

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## CHAPTER I.

### DUTCH RULE — 1609 TO 1638.

COLONIZATION has in all ages been influenced by river-courses, safe bays and harbors, mountain passes, and favorable routes of travel. Settlement in America strictly conformed to this law. The Pilgrims gathered about Boston harbor and the mouth of Charles River. The Dutch sought that great navigable stream, the Hudson, and that magnificent harbor at its mouth, where the combined navies of the world may ride in safety. The Cavaliers, who followed Smith to Virginia, chose the Chesapeake and the James. Pennsylvania, though an inland State, formed no exception to this rule. The only navigable stream within its borders which communicates directly with the ocean, attracted the eye of the early explorer, and on its course were the first feeble attempts at colonization, and the eventual settlements which marked the foundation of a state, the beginnings of empire.

In 1614, five years after the discovery of the Island and Bay of New York by Hendrick Hudson, three Europeans, wandering up the Mohawk Valley from the fort near Albany, where a feeble foothold had been gained, wended

their way southward across the dividing ridge to the head-waters of the Delaware, and followed down its course. As they moved on they soon entered the territory of what is now the State of Pennsylvania, and then for the first time its soil was pressed by the foot of the white man.

Hudson, a navigator formerly in the service of the English, but who had entered the employ of the Dutch East India Company, sailed on the 4th of April, 1609, in the *Half Moon*, an insignificant craft, in search of a western passage to the Indies. Foiled in his attempt to find a way at the north of the continent, he turned southward, and, watching carefully the coast as he went, on the 28th of August, 1609, discovered, in latitude thirty-nine degrees and five minutes north, a great bay, which he cautiously entered. To this bay the name of Delaware was subsequently given, in honor of Lord De-la-War, of the Virginia colony, who visited it a year afterwards and laid claim to its discovery. Hudson moved slowly up the bay, examining the coast on either shore, now Delaware and New Jersey, but soon returned, and proceeding northward, on the 4th of September discovered the Bay of New York, and the great river of the north which bears his name.

The right of the Dutch to the Delaware and the lands adjacent thereto was founded on this visit of Hudson to its waters, constituting priority of discovery, which was recognized by European nations as a sufficient guarantee for its possession. Though having at various periods different designations, it was at first chiefly known as the South River, in distinction from the Hudson, which was then known as the North River, these being the only great rivers in the territory claimed by the Dutch. It was called by the Indians Pautaxat, Mariskitton, and Makerish-kisken; by the Dutch, Zuyt or South, Nassau, Prince Hendrick, and Charles; by the Swedes, New Swedeland Stream; and by the English, the Delaware. The bay was also known as New Port Mey and Godyn's Bay.

Hudson, having returned to Holland and reported his dis-

coveries, the States General, on the 27th of March, 1614, granted a general charter, securing the privilege of trade during four voyages, to parties accepting its provisions, in any of its possessions in the New World. The merchants of the cities of Amsterdam and Hoorn, accordingly, fitted out five vessels to sail under this charter. One of these, the *Fortune*, belonging to the city of Hoorn, commanded by Cornelis Jacobsen Mey, upon its arrival on the American coast, at once proceeded south, its commander examining and mapping the shore as he went, until he reached Delaware Bay. To the two capes at its mouth he gave two of his own names, calling the one on the north Mey, and that on the south Cornelis. To a cape still further to the south he gave the name Hindlopen, after a town in Friesland. Another of these vessels, commanded by Adrian Block, was, unfortunately, burned upon its arrival at the mouth of the Hudson, and to repair the loss, Block immediately set about building another, the new craft when completed being of sixteen tons burden, and called the *Unrest*, the first vessel ever built in American waters. After exchanging their cargoes for furs and skins, and gathering many articles curious and interesting, the vessels all returned to Holland, except the American-built one, which was left under the command of Cornelis Hendrickson.

On hearing the report of the voyagers, the States General passed an edict, dated October 14th, 1614, granting exclusive privileges of trade in its New World possessions, to extend to four voyages through a period of three years from January 1st, 1615, to the Company of Merchants of Amsterdam and Hoorn, by which the first expedition had been dispatched. In this edict the Dutch possessions in the New World were designated NEW NETHERLANDS.

In the meantime Hendrickson, who had been left behind, proceeded to explore the sea-coast, and bay and river of Delaware, where, to his surprise, he met the three white men who had wandered off from the fort on the upper Hudson, and were making their way, from the head-waters of the Delaware

through the dense forests that fringed its banks, towards the coast. On the 19th of August, 1616, a report of Hendrickson's discoveries was read to the States General, which was in these words: "He hath discovered for his aforesaid masters and directors certain lands, a bay, and three rivers, situate between thirty-eight and forty degrees, and did there trade with the inhabitants, said trade consisting of sables, furs, robes, and other skins. He hath found the said country full of trees, to wit: oaks, hickory, and pines, which trees were, in some places, covered with vines. He hath seen, in said country, bucks and does, turkeys and partridges. He hath found the climate of said country very temperate, judging it to be as temperate as this country, Holland. He also traded for, and bought from the inhabitants, the Minquas, *three persons*, being people belonging to this Company, which three persons were employed in the service of the Mohawks and Machicans, giving for them kettles, beads, and merchandise."

Hendrickson demanded the exclusive privilege of trade in the territory which he had explored, and which he claimed to have discovered, in compliance with the provisions of the general edict; but his demand was denied. In January, 1618, the general edict expired by its own limitation. The establishment of a great West India Company, in imitation of the East India Company, was now in contemplation, and all applications for exclusive privileges were held in abeyance by the States General, though several private expeditions were undertaken.

On the 3d of June, 1621, the Dutch West India Company was incorporated, to continue for a period of twenty-four years, with a pledge of renewal of its charter at the expiration of that time. Subscription to its stock was open to all nations. It was divided into five branches, that in Amsterdam representing four-ninths of the whole, and its government was intrusted to a board of nineteen, of whom eighteen represented the five branches, and one was named by the States General. It was privileged to trade and plant colonies in Africa, from the tropic of Cancer to the Cape of Good

Hope, and in America, from the Straits of Magellan to the remotest north.

CORNELIS JACOBSEN MEY, 1624–5. — Under this charter an organization was effected in 1623, and vigorous efforts at colonization were made. In that year the ship *New Netherlands*, carrying about forty families, chiefly Walloons, — Protestant fugitives from Belgian provinces, — was dispatched to America under the direction of Cornelis Jacobsen Mey and Joriz Tienpont. Hitherto the sole object of the Dutch in acquiring territory in the New World had been to secure a lucrative trade; and even now the purpose of colonization seems to have had no higher motive than the holding of the territory securely against the encroachments of the English in Virginia and New England.

By the terms of the Company's organization, the chief power throughout all the New Netherlands territory was vested in a Director. The first person to exercise this power was Cornelis Jacobsen Mey. Attracted, doubtless, by the roseate reports of the country on the Delaware, Mey, soon after his arrival at Manhattan, — now the site of the city of New York, and where the seat of government of all New Netherlands had been established, — proceeded thither, and ascending the stream about forty-five miles, debarked upon a tongue of land between Big and Little Timber creeks, on the eastern side of the river, near the site of the present town of Gloucester, where he built a fort, which he called Nassau, and thus secured a first foothold upon the soil. He was accompanied in this enterprise by several men with their wives, and evidently intended to effect a permanent settlement. The following testimony of Catelina Tricho, given in 1684, at the age of eighty, affords curious confirmation of this intention:

"That she came to this Province either in the yeare one thousand six hundred and twenty-three or twenty-fouer, to the best of her remembrance, an that fouer women came along with her in the same shipp, in which the Governor, Arien

Jorissen came also over, which fouer women were married at sea, and this they and their husbands stayed about three weeks at this place, and then they, with eight seamen more, went in a vessel by orders of the Dutch Governor, to Delaware River, and there settled. This I certifie under my hand and ye seale of this Province. THO. DONGAN."

It was soon found impracticable to support and protect this feeble colony, and the fort was abandoned after a few months, the settlers returning to Manhattan. Communication, however, was kept up with the natives in the locality of the fort, by sending a vessel thither for purposes of trade. This weak attempt at settlement, thus speedily abandoned, has little importance in itself, but possesses a marked significance as being the germ of future commonwealths upon the Delaware.

WILLIAM VAN HULST, 1625–6. — In the spring of 1625, came two ship-loads of cattle, horses, sheep, and swine, and Mey was succeeded in the Directorship by William Van Hulst. "Just then," says Bancroft, "Jean de Laet, a member of the Chamber of Amsterdam, in an elaborate work on the West Indies, opportunely drew the attention of his countrymen to their rising colony, and published Hudson's own glowing description of the land."

PETER MINUIT, 1626–33.—In 1626, the West India Company being determined to establish more firmly its authority in the New World, ordained a more formal government with enlarged powers. The Director was assisted by a council of five, and a Schout Fiscal, an officer who combined the duties of Sheriff and District Attorney. Peter Minuit, of Wesel, in the kingdom of Westphalia, was vested with the power of Director, and by him a vast tract of land, embracing all the southern part of the Island of Manhattan, twenty-two thousand acres in extent, now the most thickly peopled part of the city of New York, was purchased of the natives for the sum of sixty gilders, equivalent to twenty-four dollars. During the administration of Minuit, which lasted until 1633,

little is recorded of note beyond the regular course of trade, which was considerable. The ship that bore the news of the purchase of Manhattan to Holland was freighted with seven thousand two hundred and forty-six beaver-skins, eight hundred fifty-three and a half otter-skins, eighty-one mink-skins, thirty-six wild-cat skins, and thirty-four rat-skins, with a quantity of oak and hickory timber. A due proportion of this trade came from the Delaware, and though no fixed habitations had yet been established there, ships regularly plied between its waters and the Hudson.

DAVID PIETERZEN DE VRIES, 1632–3. — In 1629, a charter of privileges to patroons, a sort of feudal lords, was granted by the West India Company. Any one who should plant a colony of fifty souls became the ruler and the absolute possessor of lands sixteen miles in length, if on one bank of a stream, and if on both, half that distance, and extending "so far into the country as the situation of the occupiers would permit." In the same year, Samuel Goodyn and Samuel Bloemaert purchased a large tract of land of the natives at the mouth of Delaware Bay, embracing the shore-line of what became the two northern colonies of Delaware, which purchase was confirmed in presence of the savage chieftains, by the Director, Minuit, and his Council, at Manhattan. As soon as the above recited charter of privileges was enacted, Goodyn gave notice of his intention to occupy his purchases as Patroon. Goodyn and Bloemaert were joined by David Pieterzen De Vries, "a bold and skilful seaman," and subsequently by six others, all members of the West India Company, and on the 12th of December, 1630, two vessels, with a number of people and a large stock of cattle, were dispatched by De Vries under the command of Peter Heyes, to occupy the new possessions upon the Delaware. The smaller of these vessels was captured, before leaving the Dutch waters, by Dunkirk privateers. The other, the *Walrus*, of eighteen guns, proceeded on its course, and arriving in the Delaware, a settlement was made on Lewes Creek, a short distance from

its mouth, — its commander calling his little fort, which was well beset with palisades, Fort Optlandt, and the lands by the poetic name of Swanendael (Valley of Swans).

The chief purpose in acquiring possession of the soil and effecting a settlement here, was to cultivate grain and tobacco, and, in connection therewith, to carry on the whale-fishery along the coast, it appearing from various reports that during the winter season whales frequented these waters in great numbers. It was one of the arguments which Goodyn had used with De Vries to induce him to embark in the enterprise, that the whale-fishery could be readily established, and that the oil, at sixty gilders a hogshead, would yield a good profit. Heyes was accompanied on this voyage by Gillis Hosset, as commissary of the ship, and on the 5th of May, 1631, they together purchased of the Indians, in behalf of the Company which they represented, a tract of land on the northern shore of the bay, sixteen English miles square, having nearly an equal shore and bay coast line, which purchase was confirmed at Manhattan on the 3d of June. Heyes did nothing by way of prosecuting the whale-fishery, though he secured a specimen of oil from a dead whale which he found on the shore, and leaving Hosset in charge of the little colony, which consisted of but thirty-two men, he returned to Holland, arriving on the 31st of September.

The result of this enterprise was anything but satisfactory, the stockholders having anticipated great profits from the prosecution of the whale-fishery. It was accordingly determined to fit out another expedition, and that De Vries should go in person as commander of the vessels and Patroon of the colony. Having been supplied with a large vessel and a yacht, De Vries set sail on the 24th of May, 1632. At the moment of starting he received the mournful and disheartening intelligence of the massacre by the savages of the settlers who had been left at Swanendael, and the destruction of all their possessions. It was not until the 5th of December that he reached the mouth of the Delaware, where the cry of "a

whale near the ship" was well calculated to stimulate the cupidity of the commander, and suggest "royal work — the whales so numerous, and the land so fine for cultivation." But the site of the former settlement, which was visited on the following day, displayed a mournful spectacle, the skulls and bones of the colonists, and the heads of the horses and cows which they had brought with them, lying scattered about on every side, sad witnesses to the savage natures of the men of the forest by whom they were surrounded. From a native whose confidence was gained, the following account of the massacre was drawn: "He then showed us the place where our people had set up a column, to which was fastened a piece of tin, whereon the arms of Holland were painted. One of their chiefs took this off for the purpose of making tobacco-pipes, not knowing that he was doing amiss. Those in command at the house made such an ado about it that the Indians, not knowing how it was, went away and slew the chief who had done it, and brought a token of the dead to the house, to those in command, who told them that they wished they had not done it, that they should have brought him to them, as they wished to have forbidden him not to do the like again. They then went away, and the friends of the murdered chief invited their friends — as they are a people, like the Italians, who are very revengeful — to set about the work of vengeance. Observing our people out of the house, each one at his work, that there was not more than one inside, who was lying sick, and a large mastiff who was chained — had he been loose they would not have dared to approach the house — and the man who had command standing near the house, three of the stoutest Indians who were to do the deed, bringing a lot of bear-skins with them to exchange, sought to enter the house. The man in charge went in with them to make the barter, which being done, he went to the loft where the stores lay, and, in descending the stairs, one of the Indians seized an axe and cleft his head so that he fell down dead. They also relieved the sick man of life, and shot into the dog, who was

chained fast, and whom they most feared, twenty-five arrows before they could dispatch him. They then proceeded towards the rest of the men, who were at their work, and going amongst them with pretensions of friendship, struck them down. Thus was our young colony destroyed, causing us serious loss."

Taught by this sad experience, De Vries adopted an eminently pacific policy, and, by the free use of presents and mild words, gradually gained the esteem and confidence of the savages, and finally succeeded in concluding a treaty of peace. On the first day of the year 1633, De Vries sailed up the river in quest of food, which had been nearly exhausted in his long voyage out. At Fort Nassau he met numbers of the natives, whom he found to be the sole occupants, and who had assembled to trade away their furs; but the voyagers could enter upon no trade for gain until their necessities were first satisfied. They accordingly moved on up the river, where they found natives wearing English jackets, which proved to have belonged to a party from the Virginia colony who had visited the river the year before in a sloop, and had been murdered through the treachery of the Indians. At the mouth of Minquaskill (Christina Creek) they saw a whale, but, having no means for taking it, returned to the ship at Swanendael. On the 18th the yacht again sailed up the stream with a fresh supply of goods, but were frozen in and detained for nearly a month, experiencing a degree of cold which in this latitude, judging by the mild climate of Holland, they had deemed impossible. During their detention the crew sent out hunting parties, who returned with "wild turkeys weighing from thirty to thirty-six pounds." Still in want of certain kinds of provisions necessary for the health and well-being of his men, which he was unable to obtain from the natives, and evidently desirous of seeing what he could of the New World, De Vries sailed for Virginia, where he was well received by the Governor, who sent a present of six goats to his brother Governor at Manhattan, but was surprised to hear that the Dutch had settlements

upon the Delaware, setting forth that the territory upon that stream had been discovered by De la War. Having purchased the needed stores, De Vries returned, and found that the party whom he had left at Swanendael had taken but seven whales, and these very poor, yielding but thirty-two cartels of oil. De Vries was satisfied by the large numbers seen that whales frequented these waters, but the small quantities of oil obtained from those taken convinced him that the business would not be profitable. Accordingly, on the 14th of April, gathering in all his effects, and taking all his party with him, thus leaving the bay clear of Europeans, he set sail for Holland, touching on his way at Manhattan, and leaving the present of the English Governor of Virginia.

WOUTER VAN TWILLER, 1633–38.—A lucrative trade in furs had now been established in the New World, and the policy adopted by the West India Company seemed to be to make every other interest bend to the development of that. Hence only such permanent settlements as should enable them to hold firmly their possessions, and form a sufficient basis for trade, were encouraged. Accordingly, settlements upon the Delaware were made and abandoned as best suited their paramount purpose. As the trade increased in value, the strife became animated for its exclusive possession. And now a fatal evil in the system which had been adopted by the Company, was developed. Patroonship and directorship came in conflict. Patroons had seized upon all the most valuable lands, and profitable points of trade, and the director and his council, who were vested with supreme authority, found themselves stripped of power. Bitter quarrels ensued. The director, Peter Minuit, having incurred the enmity of the powerful patroons, and forfeited the confidence of the Company, was recalled, and Wouter Van Twiller, a near relative of one of the most grasping of the patroons, Van Rensselaer, was selected to succeed him. To rectify their system, and to re-acquire the exclusive control of trade, which had now been proven to be profitable, the Company authorized the purchase

of patroonships. Accordingly, on the 7th of February, 1635, all the patroons having title to lands upon the Delaware sold their interests in them to the Directors of the Company for fifteen thousand six hundred gilders, equal to six thousand two hundred and forty dollars.

In the mean time, the New England colonies having rapidly increased in population, a party from Connecticut, during this same year, incited by the love of adventure, under command of George Holmes, sailed to the Delaware, with the design of planting themselves upon its shores. At Fort Nassau they found a Dutch garrison in possession, which they attacked. Finding it stronger than they anticipated, they were obliged to surrender to the party whom they had sought to conquer, who sent them as prisoners to Manhattan, where they were pardoned and allowed to settle in the vicinity of Fort Amsterdam, the first English to acquire a habitation in New Netherland.

## CHAPTER II.

### DUTCH AND SWEDISH RULE, 1638–55.

SIR WILLIAM KIEFT, 1638–47. — PETER MINUIT, 1638–41.—Gustavus Adolphus, king of Sweden, a monarch no less renowned for his arbitrary will and personal courage, than for his devotion to the rights of humanity and the privileges of the Protestant religion, seeing the enterprise displayed by neighboring rulers in planting colonies and acquiring lands in the New World, determined to extend the power of his own throne in the same direction. As early as 1626, a Swedish West India Company was incorporated by the States of Sweden, under royal sanction and patronage, and William Usselincx, a Netherlander, who claimed to have been the originator of the Dutch Company, was appointed to lead an expedition. But before the anticipations of prosperity and power which were fondly indulged could be realized, and to a participation in which all nations were invited, Gustavus found the Protestant religion in Germany in danger of overthrow, and postponing his plans of colonization for the time, and arbitrarily seizing the treasure which had been pledged to the new company, he buckled on his armor and led his legions to the defence of the cherished faith. At the battle of Lützen, fought on the 16th of October, 1632, where a glorious triumph for Protestantism and the rights of conscience was gained, the great monarch fell, mortally wounded. Though borne down by the cares and sore trials of the campaign, he had not forgotten his fond purpose of colonization, which he had come to regard as "the jewel of his kingdom," and a few days before his death he earnestly commended it to the people of Germany. It was not the hope of trade

which allured him, but the visions of colonists planted in happy homes, a blessing to the common man, to the whole Protestant world, to all oppressed Christendom.

Christina, the little daughter of the king, succeeded to the throne, and Oxenstiern, the prime minister, desirous of carrying out the cherished policy of his late master, renewed the charter of the Company, and extended its benefits to Germany, the Chambers at Frankfort confirming the act on the 26th of June, 1633. But for more than four years active operations were delayed. Near the close of the year 1637, a little company of Swedes and Finns embarked in two small vessels, the *Key of Calmar* and the *Griffin*, under the charge of the same Peter Minuit, who, in 1626, had been invested with the general directorship of New Netherland, and who, in 1632, after being involved in frequent quarrels with the Patroons, had been superseded by Wouter Van Twiller.

Early in the spring of 1638, the vessels arrived in Delaware Bay, and the lands from the southern cape to the falls near Trenton were purchased of the Indians. Near the mouth of a little creek on the northern limits of the State of Delaware, which, in honor of their youthful sovereign, they called Christina Creek, the party landed and erected a fort, which they likewise named Christina. Kieft, who was now Director of New Netherland, sent a vigorous protest to Minuit against occupying and erecting forts on any part of the territory claimed by the Dutch Company, of which the lands upon the Delaware were a part. "This," says Kieft, "has been our property for many years, occupied with forts, and sealed by our blood, which also was done when thou wast in the service of New Netherland, and is therefore well known to thee." Minuit, trusting to the power of the flag under which he sailed, for Sweden was now one of the foremost of nations, paid little attention to this protest, but went on with the erection of his fort, entered upon a vigorous competition for the trade in furs, an art which he had learned while in the service of the Dutch, and by the end of July had completed, his fort had erected pillars inscribed with the

letters "C. R. S.," and the ships, well laden with furs, had been dispatched for Sweden.

Minuit remained with his infant colony, and to his enterprise and skill was it due that the settlers were kept together and successfully protected against both savage and civilized foes. The Dutch were occupying Fort Nassau when the Swedes arrived in the river, and continued to hold it for the purpose of barter; but the arts of Minuit soon triumphed over the traders from Manhattan, Governor Kieft complaining to his masters soon after, that his trade had fallen off full thirty thousand beavers.

For more than a year the Christina colonists had no aid nor intelligence from their former homes, and they at length began to be in want. So pressing had their necessities finally become, that they had made overtures to the authorities at Manhattan for permission to remove thither; but on the day before this removal was to have taken place, early in the year 1640, a ship, richly laden with cattle and provisions, opportunely arrived upon the Delaware, and saved them the loss and humiliation of giving up their settlement. Minuit governed the colony for nearly three years with singular success, avoiding hostile encounters with the natives, and with the Dutch who claimed the soil, and finally died in the midst of the colony which he had planted.

PETER HOLLANDAER, 1641–43. — Peter Hollandaer, a Swede, was commissioned by the home government as Governor of New Sweden, in 1641. He had previously sailed with the colonists who had been sent to reinforce the original settlers. At about this time attempts were made by parties of English, from the New England and Virginia colonies, to get a foothold upon the Delaware. A party from Connecticut, sailing under command of Robert Cogswell, had planted themselves at the mouth of Salem Creek, near the present site of Salem, N. J. Another company had boldly sailed up past Fort Nassau, and without any commission of a potentate had made a beginning of settlement on the Schuylkill.

These audacious intrusions were regarded by the authorities at New Amsterdam as intolerable indignities, and Jan Jansen Van Ilpendam was sent with two vessels and a hostile force to dispossess them. The intruders on the Schuylkill were routed, their fort destroyed, and themselves roughly handled. The party at Salem Creek was also driven away, the Swedes at Christina lending a helping hand.

JOHN PRINTZ, 1643–53. — After holding authority for about a year and a half, Hollandaer was succeeded by John Printz, who, in addition to the usual commission, received minute instructions for his guidance, dated August 15th, 1642, at Stockholm. He was, first of all, to maintain friendly relations with the Indians, and by the advantage of low prices, hold their trade. His next care was to cultivate enough grain for the wants of the colonists, and, when this was insured, turn his attention to the culture of tobacco, the raising of cattle and sheep, especially sheep of a good species, the culture of the grape, and the raising of silk-worms. The manufacture of salt by evaporation, and the search for metals and minerals, were to be prosecuted, and an inquiry into the establishment of fisheries, with a view to profit, especially the whale fishery, was to be made. Sailing from Gottenburg, on the 1st of Nov., 1642, in the *Stoork* and *Renown*, the new Governor and a strong party of settlers, after a tedious voyage, arrived at Fort Christina, on the 15th of Feb., 1643. Printz was a military man, having been Lieutenant-Colonel of cavalry, and at once detected the weakness of the fort for commanding the navigation of the river. He accordingly selected a site for a new fort on the island of Tinicum, which he at once proceeded to erect. Here, also, he built for himself a palace suited to his rank, in the midst of orchards and pleasure grounds, the bricks used in its construction having been brought from Stockholm. These bricks, of a pale-yellow color, and quite small, are still found in the neighborhood. The fort, which was called New Gottenburg, was built of "grœnen logs," and made quite strong. Printz

also erected a fort called Elsinborg, near the mouth of Salem Creek, which he garrisoned with a lieutenant and twelve men, and on which were mounted eight brass twelve-pounders. All ships ascending the river were obliged to lie to, lower their colors, and secure a permit from the Governor before they were allowed to proceed.

Towards the close of the year 1643, John Pappegoya, who had previously been upon the Delaware, but had returned to Sweden, and who appears to have been a favorite at court, received from the Queen and her council, a letter dated at Stockholm on the 2d of November, 1643, commending him to Governor Printz, and requesting that he be "graciously employed in order to his advancement." This request was promptly accorded, Pappegoya marrying the Governor's daughter, and himself becoming Lieutenant-Governor of the province. The Minquas Indians, a tribe of the Five Nations who dwelt upon the Conestoga, possessed of great enterprise and skill in trapping for furs, brought by far the most lucrative trade to the Europeans. This the Swedes had monopolized. Indeed, the western bank of the Delaware, and its tributary, the Schuylkill, were exclusively claimed by them, and though Fort Elsenborg had been built upon the opposite bank, the titles to lands upon the western side had always been regarded as of especial binding force. Van Ilpendam, who had been sent by Kieft to drive away the English upon the Delaware, and who had remained at Fort Nassau as Commissary or *vice*-Director, having forfeited the confidence of Governor Kieft, was recalled, and Andreas Hudde was appointed to exercise authority in his place. Hudde seems to have been a man singularly discreet and politic, and to have adopted the instructions given by the ministers of Christina to Printz, "to work underhand as much as possible with good manners and success." Conflict of authority frequently arose between these two vicegerents of power as they faced each other from opposite sides of the stream, in which vigorous remonstrances and sharp protests passed between Tinicum and Nassau; but beyond this exchange of harmless paper

missiles, the war was rarely carried. Under the vigilant and crafty policy of Hudde, the Dutch began gradually to push settlements upon the west shore. Land near the mouth of the Schuylkill, now the site of the city of Philadelphia, was acquired of the Indians, and a fort erected thereon. Printz, to show his contempt for this encroachment upon his dominions, immediately built a large frame building in its front, in close proximity, so as to cut off its command of the river. Hudde, believing in the policy of hold-fast, paid little attention to this indignity; but quietly exercised all his arts to acquire favor with the Indians, and to secure possession of their lands.

PETER STUYVESANT, 1647–64. — On the 27th of May, 1647, Peter Stuyvesant succeeded to the supreme directorship of New Netherland. Upon his assumption of power he found the integrity of his dominions threatened on all sides. New England was pushing him upon the north and east, and the Swedes upon the south. To maintain undiminished his territory, he had need for all his executive ability. Commissary Hudde was retained upon the Delaware, and by his constant vigilance kept his master well informed of all that was passing in his viceroyalty. He complains of constant aggressions and annoyances on the part of the Swedes, but these were doubtless mutual; for the Dutch had evidently determined to gradually envelop and circumscribe the dominions of the Swedes until they should be compelled to yield to the Dutch power.

This is foreshadowed in the recommendation of Stuyvesant to the West India Company, to plant a colony at Swanendael, another on the east side of the bay, and a third at the Company's redoubt at Beversreede. To discover what titles the Swedes had to lands upon the Delaware, Stuyvesant, in 1651, sailed thither, and opened negotiations with Printz, at first in writing, and finally in person, when the question as to titles was propounded. Printz, without producing any records, drew up a writing in which he made "the Swedish limits

wide enough." But this failed to satisfy Stuyvesant, who characterized it as a subterfuge, and adduced what he regarded as plain proof of his allegation. Numerous complaints, and claims of indemnity for losses sustained by lawless conduct of the Swedes, were presented to the Governor during his stay. Determined to put an end to these troubles, Stuyvesant having acquired title from the Indians to lands south of Fort Christina, proceeded to erect a new fort on commanding ground, the site of the present town of New Castle, which he called Fort Casimir; whereupon Fort Nassau was abandoned and destroyed as of no further value. Printz protested against this encroachment upon lands claimed by the Swedes; but beyond protests he seems to have meditated no more hostile demonstration; for before the departure of Stuyvesant, the two Governors had friendly conference, in which "they mutually promised not to commit any hostile or vexatious acts against one another, but to maintain together all neighborly friendship and correspondence, as good friends and allies are bound to do."

JOHN PAPPEGOYA, 1653–54. — The Dutch Fort Casimir rendered the Swedish Fort Elsinborg, which had been relied on to command the navigation of the river, useless, and it was accordingly abandoned; but on the plea that it had become uninhabitable on account of the mosquitoes, which swarmed about it like a resistless plague. Governor Printz, having by this time, doubtless, discovered that he had been overreached by the crafty Hudde and the headstrong Peter Stuyvesant, and that his power was fast waning, asked to be relieved of the government of the colony. Without awaiting the answer of the Queen, Printz set sail for Sweden in October, 1653, leaving his son-in-law, Pappegoya, in chief authority. Printz's administration was anything but successful. He seems to have come to America with the expectation of holding court in the New World with all the formality and insignia of royalty preserved by the petty potentates of Europe. He is represented by De Vries, who came in a ship from

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New Amsterdam to visit him in October, 1643, as a man very furious and passionate, immense in person, weighing over four hundred pounds, and as drinking "three drinks at every meal." He was difficult of access, requiring communication to be made to him in writing, and when messengers came bringing intelligence that was distasteful, subjecting them to personal abuse, and sending them home "bloody and bruised." This was not the kind of government required for an infant colony, estimated at various periods to number from fifty to three hundred souls, having to maintain a vigorous competition with a rival power upon the river, and to preserve peace and friendly relations with the fickle and ignorant savages of the forest.

In November, 1653, the Swedish College of Commerce granted to John Amundson a commission as Captain in the Navy, and sent him to the Delaware to superintend the construction of vessels, he having obtained a grant of land upon the river, favorably located for the prosecution of shipbuilding. Printz had brought under cultivation a farm upon the island of Tinicum, which he had much improved and planted. This had been granted to him by royal favor, which upon his departure he left to his daughter, the wife of Pappegoya, where the Governor's residence was maintained. Pappegoya retained his power but five or six months.

JOHN CLAUDE RYSINGH, 1654–55. — The application of Printz to be relieved was not acted on for nearly two months after the Governor had taken his departure, its acceptance bearing date of 12th of December. He was granted the desired favor, but he was urged to remain until a successor could be duly provided. On the same day that this document was signed, John Claude Rysingh, who had been Secretary to the Chamber of Commerce in Stockholm, was commissioned as *vice*-Director of New Sweden, and sailing in the government ship *Aren*, arrived in the colony near the close of May, 1654. He was not invested with the absolute powers which had been conferred upon Printz. Military and

naval authority was bestowed upon John Amundson, who was also to have superintendence of government shipbuilding, but in such a manner that neither was to decide or approve anything without consulting the other; and a council, formed of the best instructed and most reliable officers in the country, was established for the exercise of civil authority, of which Rysingh was director. He was instructed to employ none but the mildest measures against the Dutch at Fort Casimir; and it was recommended, if he could not induce them to abandon it by argument, that he should endeavor to supersede its importance and power, by building another fort below.

Disregarding the explicit instructions of the home government to pursue a pacific policy, Rysingh had no sooner arrived in the river and ascertained that the Dutch garrison at Fort Casimir was weak and would be powerless to resist him, than he assumed the offensive. Gerrit Bicker, who was in command of the fort, upon seeing a strange sail approaching, sent his secretary, Van Tienhoven, to learn its character and destination. Rysingh detained the messenger and his escort until the following day, when he sent a company of soldiers under the leadership of Lieutenant Swen Schute, a soldier of long service in the colony, marked by royal favors, who followed close upon the path of the messenger, and entering the fort, where they were received as friends, proceeded to take forcible possession, rifling the garrison, even to side-arms. The conduct of Rysingh is defended on the plea that in the correspondence between the Dutch and Swedish home governments, the complaints of encroachments on the part of the Dutch in building Fort Casimir had been answered by saying "if the Dutch are found encroaching upon Swedish territory, drive them off," and that his answer may have been communicated to Rysingh after receiving his general instructions.

Finding that the new *vice*-Governor was disposed to assume the responsibility of government, and a more aggressive policy than he was inclined to pursue, Pappegoya, leaving his wife

in possession of Printz Hall, departed for Europe soon after, whereupon Rysingh assumed the title of Director-general. One of his first acts, after gaining full possession of the territory, was to call together the chief sachems of tribes far around, for the purpose of establishing the old-time friendship, which during the sway of the arbitrary and irascible Printz had been well nigh destroyed. Ten grand sachems assembled at the seat of government on Tinicum Island. In this grave council, conducted with all that decorum and gravity which was a characteristic of the North American Indian, bitter complaints were made of the ill treatment which the natives had received at the hands of the Swedes, chief among which was that many of their number had died, plainly pointing, though not explicitly saying it, to the giving of spirituous liquors as the cause. Rysingh, without attempting to answer these complaints, distributed valuable presents which he had brought with him for the purpose. Whereupon the chiefs sat apart for conference. With the piled up presents in their midst, Naaman, the most venerable and sincere among them, spoke: "Look,' said he, pointing to the presents, 'and see what they have brought to us, for which they desire our friendship.' So saying, he stroked himself three times down his arm, which, among the Indians, was a token of friendship; afterwards he thanked the Swedes on behalf of his people for the presents they had received, and said that friendship should be observed more strictly between them than it had been before; that the Swedes and the Indians had been in Governor Printz's time as one body and one heart (striking his breast as he spoke), and that thenceforward they should be as one head; in token of which he took hold of his head with both hands, and made a motion as if he were tying a knot, and then he made this comparison: That, as the calabash was round without any crack, so they should be a compact body without any fissure; and that if any should attempt to do any harm to the Indians, the Swedes should immediately inform them of it, and, on the other hand, the Indians would give immediate notice to the Chris-

tians of any plots against them, even if it were in the middle of the night. On this they were answered, that that would be indeed a true and lasting friendship, if every one would agree to it; on which they gave a general shout in token of consent. Immediately on this the great guns were fired, which pleased them extremely, and they said, '*Poo, hoo, hoo; mokirick picon*,' that is to say, 'Hear and believe, the great guns are fired.'" All the treaties which had been concluded with the Indians from the first settlement, and which had been recorded at Stockholm, were produced and confirmed. "When those who had signed the deeds heard their names they appeared to rejoice, but, when the names were read of those who were dead, they hung their heads in sorrow." * The ceremonies were concluded with feasting and drinking, and the treaties, confirmed in this solemn and characteristic manner, were ever after kept.

In a letter addressed to the home government, dated July 11th, 1654, Rysingh gives a flattering account of the progress of the colony since his arrival, which he estimates to have quadrupled in population and in ground under cultivation; "for then," he says, "we found only seventy persons, and now, including Hollanders and others, there are three hundred and sixty-eight persons." † Among the wants of the Governor he is particular in making known to the minister that of a wife. "Sufficiently plain offers," he says, have been made to him by the English who have visited the colony, but he would not think of entering into an alliance without the approval of the minister, whose advice he relies on with more confidence than that of any other person in the world; and he expresses a special desire that he would send him a good one.

But the morning of his administration, which had thus dawned so brightly, was soon destined to be obscured by clouds and darkness, though through no lack of wisdom and enterprise on his part. The Dutch at Manhattan had greatly increased in strength and numbers, while the Swedes upon the Delaware, in their best estate, were but feeble. The

* Campanius, 77. † Haz. Ann. 153.

Swedes had gained a momentary advantage in the capture of Fort Casimir; but that very triumph was regarded by the Dutch as an encroachment upon, and an insult to their power, and was to be seized upon as the immediate occasion for breaking up entirely the Swedish dominion in the New World. For the West India Company, on learning of the loss of the fort, sent orders to Stuyvesant "to exert every nerve to avenge the insult by not only replacing matters on the Delaware in their former position, but by driving the Swedes from every side of that river." In the meantime, a Swedish ship, called the *Golden Shark*, was piloted by mistake or treachery behind Staten Island, where it was captured by the Dutch, and was held by Stuyvesant as a reprisal for the seizure of Fort Casimir. Van Elswyck, its captain, was dispatched to the Delaware with a request that Rysingh would either repair in person to Manhattan, or send one duly qualified to settle the difficulties between them, and secure the release of the ship. To this Rysingh declined to listen. A wordy correspondence ensued, the only effect of which was to widen the breach.

Peace had been concluded between England and Holland, and Queen Christina, now at the age of twenty-nine, ended a feeble reign by voluntarily yielding the throne to her cousin Charles Gustavus. Holland, free from foreign war, and beholding the power of Sweden rapidly waning since the days of Gustavus Adolphus, determined to pursue an aggressive policy in the New World. Accordingly, five armed vessels were sent to Stuyvesant, with a renewal of the order to drive the Swedes from the Delaware. Determined to go with sufficient force to be master of the situation, the Dutch Governor, with much ado, collected a force of over six hundred men, and, after attending solemn religious services, sailed on the afternoon of Sunday, September 4th, 1655, in seven vessels, bent upon conquest. On the following day he arrived in the bay. Fort Elsinborg, which had been abandoned, was first seized. Fort Casimir, or Trinity, which name it had received since falling into the hands of the Swedes,

was under command of Swen Schute, and Fort Christina under Governor Rysingh in person. The surrender of Casimir was demanded by Stuyvesant as the property of the Dutch. Schute held out until the following day, when, having had an interview with Rysingh, and seeing that resistance was useless, capitulated upon honorable terms. At Christina Rysingh decided to offer resistance, and, accordingly, Stuyvesant determined upon its reduction by siege, which, after an investment of fourteen days, was also surrendered, even more favorable terms being accorded to the garrison than to that at Casimir. The conduct of the Dutch troops during the continuance of the siege, and after the capitulation, was most inhuman. The laws of civilized warfare were set at naught. According to the remonstrance of Rysingh, Stuyvesant's men "acted as if they had been on the lands of their inveterate enemy," plundering the Swedish villages, and at Fort Christina violently tearing women from their houses, destroying buildings, and butchering, day after day, oxen, cows, swine, and other creatures: "Even the horses were not spared, but wantonly shot, the plantations destroyed, and the whole country left so desolate that scarce any means are remaining for the subsistence of the inhabitants." "The flower of their troops [Swedish] were picked out and sent to New Amsterdam, under the pretext of their free choice, being forcibly carried on board their ships."

Stuyvesant determined to make thorough work, and succeeded well in his purpose. The Swedes and Finns who desired to remain were required to take an oath of allegiance to the Dutch power, and even those who chose to return to the mother country were obliged to take a like oath, to be binding until their departure.

Thus ended the power of the Swedish arms in the New World. It had been maintained from 1638 to 1655, a period of a little more than seventeen years. "The descendants of these colonists," says Bancroft, "in the course of generations, widely scattered and blended with emigrants of other lineage, constitute probably more than one part in two hun-

dred of the present population of the country. At the surrender, they did not much exceed seven hundred souls. Free from ambition, ignorant of the ideas which were convulsing the English mind, it was only as Protestants that they shared the impulse of the age. They cherished the calm earnestness of religious feeling; they reverenced the bonds of family and the purity of morals; their children, under every disadvantage of want of teachers and of Swedish books, were well instructed. With the natives they preserved peace. A love for Sweden, their dear mother country, the abiding sentiment of loyalty towards its sovereign, continued to distinguish the little band; at Stockholm, they remained for a century the objects of a disinterested and generous regard; affection united them in the New World; and a part of their descendants still preserve their altar and their dwellings, around the graves of their fathers." Of the Dutch, who were now in full possession, he says: "They sounded with exultation the channel of the deep stream, which was no longer shared with the Swedes; they counted with delight its many lovely runs of water, on which the beaver built his villages; and the great travelers who had visited every continent, as they ascended the Delaware, declared it one of the noblest rivers in the world. Its banks were more inviting than the lands on the Amazon."

## CHAPTER III.

### DUTCH RULE, 1655–64.

PETER STUYVESANT, 1655–64. — DERCK SMIDT, 1655. Scarcely had his operations upon the Delaware been concluded, when Stuyvesant was summoned home in great haste to defend his possessions upon the Hudson, the Indians having risen in the absence of the Governor and the military, massacred and carried away into captivity large numbers of the helpless and unoffending settlers, and laid their habitations in ruins. Leaving Derck Smidt — who had been sent as the herald from the fleet to demand the surrender of Fort Casimir — as Schout-Fiscal and chief agent of the Dutch in the conquered province, Stuyvesant hastened away with all his force to punish the savages and restore his authority at home.

JOHN PAUL JACQUET, 1655–57. — On the 29th of November, John Paul Jacquet was appointed *vice*-Director of the entire settlements upon the Delaware, with the seat of government at Fort Casimir. A council was given him, consisting of Andreas Hudde, secretary, surveyor, and keeper of the keys of the Fort, Elmerhuysen Klein, commissary, and two of the most expert freemen to constitute a court for the trial of civil causes. Two sergeants were to take the place of the two freemen in the trial of military offenders. In March following, the Swedish ship *Mercury* arrived with one hundred and thirty emigrants, the authorities in Sweden having had no intimation of the conquest of their colony at the time of sailing. The ship was not allowed to pass Fort Casimir, and its commander was referred to Director-General

Stuyvesant at Manhattan. To him application was accordingly made for permission to ascend and land the passengers; but Stuyvesant refused his assent, and ordered it to be brought at once to Manhattan. In the meantime, a party of Swedes and Indians boarded the vessel, and, running past the fort, landed the passengers, who settled and were absorbed in the colony. Pappegoya, the son-in-law of Printz, was of the number. The armed vessel *Balance* was dispatched by Stuyvesant to bring the *Mercury* to New Amsterdam, where the commander was permitted to discharge his cargo.

JACOB ALRICHS, 1657–59.—Colony of City.—The expense of fitting out the expedition for the reduction of New Sweden was considerable, and had become a heavy burden to the Company. The city of Amsterdam had loaned a part of the money thus used; and to settle that claim, the Company sold to the city, for the sum of seven hundred thousand gilders, all that tract of land on the south bank of the Delaware, reaching from the east side of Christina Creek to the ocean, and extending back into the country to the lands of the Minquas. This sale was ratified by the States-General on the 16th of August, 1656, and the territory thus ceded was designated *Nieuer Amstel*. The government of this colony was vested in forty commissioners, to reside in the city of Amsterdam, by whom Jacob Alrichs was appointed Director. Forty soldiers, under command of Captain Martin Krygier and Lt. Alexander D'Hinoyossa, and one hundred and fifty emigrants, were sent in three small vessels to the colony. Upon his arrival, Alrichs appointed Andreas Hudde to the command of Fort Christina, now called Altona, and of New Gottenburg; and upon his assumption of power, the authority of Jacquet ceased.

GŒRAN VAN DYCK, 1657–58.—Colony of Company.—Over the Swedes and Finns, who dwelt above the limits of the city's colony, Gœran Van Dyck was appointed to exercise authority, with the title of Schout-Fiscal. By his sugges-

tion, Stuyvesant, under whose orders he acted, issued a proclamation inviting the Swedes to abandon their scattered habitations, and assemble themselves together in one village. This request was not acceded to; and the proposition to compel obedience to the mandate was abandoned, on the suggestion of the successor to Van Dyck, who had discovered that it would be a great hardship to force these settlers from the lands which they had subdued and brought under cultivation, and from the humble habitations which had become endeared to them by the struggles they had endured to obtain them.

"Evert Pieterson," says Smith, in his history of Delaware County, "who held the office of schoolmaster, comforter of the sick, and setter of the psalms, in the City Colony, writes to the commissioners that, upon his arrival in April, he found but twenty families in Nieuer Amstel, all Swedes except five or six families. He appears to have been a man of observation, and suggests our black-walnut timber for making gun-stocks; requests that inquiries be made of the gunsmiths in respect to its value, and in what shape it should be cut. In August he had a school of twenty-five children. This is the first school established on the river of which we have any account."

The governors of both city and company colonies seem to have been still under the supervision of General Director Stuyvesant; for we find both Alrichs and Van Dyck communicating with him, and seeking his advice and direction. Stuyvesant visited the colony in 1658, being drawn thither by the conflicts of authority between the two vice-governors, and by the fact that many things connected with the trade of the colony needed a careful inspection. He was met by Van Dyck and the leading Swedish citizens, who renewed their oaths of allegiance, and made known their complaints and wants.

WILLIAM BEEKMAN, 1658–63. — COLONY OF COMPANY. Stuyvesant's chief purpose in visiting the colony seems to

have been to put a stop to smuggling, which had sprung up and was becoming a serious evil. Upon his return, he reported the irregularities which he had discovered to the West India Company, and recommended that some competent person be appointed to have complete supervision of the revenues arising from imports and trade, both in the City's and the Company's colonies. Accordingly, William Beekman,* an alderman and an elder in the church at New Amsterdam, was appointed to this office, with the title of *vice*-Director and Commissary.

The year 1658 was one of great distress in the colony. A prevailing sickness, short crops, and an unsettled state of affairs in the government, bore heavily upon it. "Continued sickness," says Alrichs, "curbed us so far down that all the labor in the field and agriculture was abandoned;" and adds, "Winter, early, long, and unexpected, caused great distress." To increase this distress, emigrants arrived without supplies. In January, 1659, the wife of Alrichs died. The Amsterdam Company, not satisfied with the profits of its investment, made new and exacting conditions of settlement, which caused much discontent among the colonists, and these conditions being imposed at a time of grievous afflictions, many

* "Wilhelmus Beeckman was born at Hasselt, in Overyssell, in 1623; served the West India Company on board *The Princess;* settled as a merchant in New Amsterdam, in 1647; was married to Catalina De Booghs, a native of Amsterdam, on the 5th of September, 1649; was appointed Lieutenant of the Burgher Corps, in 1651; one of the Schepens of New Amsterdam, when that city was incorporated, in February, 1653, in which office he was continued in 1654, 1656, 1657, and 1673; Commissary of South River, in July, 1658; Vice-Director of the same Colony, in October, 1658; Commissary at Esopus, in July, 1664; Burgomaster of New Orange, in 1674; and an Alderman of New York in 1679, 1680, 1682, and 1685; and Alderman of the East Ward of the city, from 1691 until 1695; and died in 1707, aged eighty-four years, leaving six children — Marie (wife of Nicholas William Stuyvesant), Hendrick, Gerardus, Cornelia, Johannes, and Jacobus.

"He was engaged in business as a brewer, as the successor of Thomas Hall, in Smit's Vly [Pearl] near Beekman Street, 'where William and Beekman streets still bear his name;' and his descendants, widely scattered over the country, are among the most respectable and respected of its inhabitants." — Henry B. Dawson, *Hist. Mag.*, 1867, 358.

fled to the English settlements in Maryland. Learning from these visitors that sore distress prevailed upon the Delaware, and judging it to be a favorable time to acquire possession of the territory, which had always been claimed by the English on the plea of discovery by De la War, Lord Baltimore, Proprietor of Maryland, sent commissioners to demand its surrender, or the submission of the settlers to English rule. This demand was vigorously resisted by Stuyvesant, to whom it was referred, who sent commissioners to the Chesapeake to defend the Dutch claims by argument, while he dispatched a company of sixty soldiers to the Delaware, to maintain his power by force. This vigorous policy had the desired effect, and Lord Baltimore allowed his claim to rest.

Towards the close of the year 1659, Alrichs, after having administered the affairs of the colony for a period of a little more than two years, during which his people and his family had been visited by dire afflictions, was relieved by death. It would appear from the complaints made against him by those most intimately associated with him in the government, that many of the evils under which the colony grieved, were due to his own maladministration.

ALEXANDER D'HINOYOSSA, 1659–64. — Colony of City. — Previous to his death, Alrichs had recommended the appointment of Alexander D'Hinoyossa, in whose hands he left the government, as his successor. This recommendation was approved and confirmed by the commissioners. The administration of D'Hinoyossa was little less turbulent than his predecessor's had been. Conflicts of authority between himself, who represented the City's colony, and Beekman, who had charge of the revenues of the West India Company from all the settlements on the Delaware, were frequent, and many complaints were made to their respective masters in Holland. D'Hinoyossa refused to recognize the authority of Stuyvesant over him, as his predecessor had done, claiming that his only source of power, and consequent accountability

to, was the commissioners of the Company of the City of Amsterdam. The West India Company claimed jurisdiction over the commerce of the entire district, and insisted upon a strict collection of the revenues, while the City's colony sought to evade the payment. Tired of these conflicts and petty strifes, negotiations were entered into for the retransfer of the Nieuer Amstel Colony to the West India Company. Not succeeding in this, the commissioners of the city effected a new loan, with the determination of infusing fresh enterprise into its colonial affairs. D'Hinoyossa seems to have been more successful than his predecessor in securing the peace and internal quiet of his little kingdom, and in making such regulations in relation to trade and settlement as to attract the Swedes from the territory above to his dominions. The Finns, who, as we have noticed, had gone to Maryland to settle, became dissatisfied, and meditated a return, and their friends who visited them with the purpose of joining them there, came back with evil tidings, and more firmly resolved than ever to abide in Nieuer Amstel. Encouraged by the favorable turn in affairs, the commissioners of the city negotiated a transfer of all the territory on the east side of the Delaware to their dominions. Attracted by the liberal offers of aid to settlers which were made by the commissioners, a new impulse was given to emigration. A community known as Mennonites resolved to emigrate in a body. By the terms of their association, clergymen were not allowed to join them, nor any "intractable people — such as those in communion with the Roman See; usurious Jews, English stiff-necked Quakers; Puritans; foolhardy believers in the Millennium; and obstinate modern pretenders to revelation."

Negro slaves had been early introduced into the New Amsterdam colonies, the use of which had been commended by the home companies. At about this time, Beekman made an urgent application to Stuyvesant for some slaves, and D'Hinoyossa, in a formal paper addressed to the commissioners, requested that a contract be immediately made for fifty head of slaves to till the rich valleys along the Delaware.

Intent on securing the greatest prosperity for his colony, and tired of the constant clashing of interests between the jurisdictions of the double authority, D'Hinoyóssa visited Holland in 1663, for the purpose of securing for the City Company the entire government of the settlements upon the Delaware. In this he was successful, and upon his return in December, Stuyvesant made a formal transfer of authority.

By this action Beekman was left without jurisdiction, and soon after returned to New Amsterdam, where he was appointed by Stuyvesant commissary at Esopus, upon the Hudson. "While the two colonies were kept up," says Acrelius, "Beekman had a share in the administration; but he was little considered. This made him envious of D'Hinoyossa, whom he aspersed in frequent letters to Stuyvesant."

The Swedish West India Company was not disposed quietly to submit to the loss of its possessions upon the Delaware. Vigorous remonstrances were made against the attitude which the Dutch Company had assumed, and demands were made for the restoration of their territory. But the Dutch, having taken forcible possession, would yield nothing. Until 1664 the Swedes allowed their claims to rest; but in that year vigorous measures were planned for punishing their assailants and repossessing their colony, and a fleet bearing a military force was fitted out for the purpose. It appears that this force set sail, but meeting with misfortunes upon the sea, was obliged to return, and the project was finally abandoned.

From the time of the transfer of the entire settlements on the Delaware to the Company of the City of Amsterdam, D'Hinoyossa held undivided authority until the conquest of all New Netherland by the English, a period of nearly ten months. Upon the downfall of Dutch rule, D'Hinoyossa returned to Holland, and entered the army of the States. He served in the war between Louis XIV. and the Republic, and he is mentioned as one of the garrison of a fortress which surrendered to the French. He ended his days in Holland.

## CHAPTER IV.

### ENGLISH RULE, 1664–73.

COL. RICHARD NICHOLLS, 1664–67.—Conflict between Dutch and English rule in the New World was early developed. Virginia and Maryland had repeatedly claimed the territory upon the Delaware; Massachusetts insisted on the right of an indefinite extension of its territory to the west; and Connecticut not only claimed the islands to the south, but that, by the terms of its charter, its western boundary was the Pacific. Against these pretensions on all sides, Stuyvesant protested vigorously, significantly asking, "Where, then, is New Netherland?" In September, 1663, seeing the New England colonies marching steadily toward the Hudson, Stuyvesant made a voyage to Boston, where he met the delegates of the United Colonies, and entered his complaints; but he could secure no concessions or guaranties,—the New Englanders pointing to their grants from the British crown, and relying upon its power for their vindication.

The English Government had always claimed the territory which the Dutch had been permitted to occupy; and Cromwell, in his time, had planned its recovery. The purpose had been renewed in the time of his son; but in neither reign had forcible measures been adopted. Had the plan of Dutch colonization been more vigorous, and its system of government not been beset with fatal inherent evils, its conquest would have presented serious difficulties. But the almost utter lack of educational facilities, the exorbitant demands of government, and the denial of popular participation in public policy, left little for which the subjects were willing to fight.

Charles II. having ascended the English throne, granted a patent, dated March 12th, 1664, to his brother James, Duke of York and Albany, of all the territory between the Connecticut and the Delaware rivers, and the islands adjacent thereto, covering not only the possessions of the Dutch, but portions of grants previously made by the British Crown. Four armed vessels, led by the frigate *Guinea*, were fitted out and dispatched with four hundred and fifty soldiers, under command of Col. Richard Nicholls, groom of the bed-chamber to the Duke, to take possession of the lands thus conveyed. With Col. Nicholls were sent Sir Robert Carr, Sir George Cartwright, and Samuel Maverick, Esq., who were commissioned by the King, to first visit the New England colonies, and "to hear and receive, examine and determine, all complaints and appeals, in all matters, military, criminal, and civil, and proceed in all things for the providing for and settling the peace and security of the country, according to their discretion and instructions. . . . . After all the ceremonies [in the New England Colony] are performed, in the first place of all business, and before you enter upon any other particular, discourse at large and with confidence to *them*, all that we ourself have discoursed with *you*, of reducing the Dutch in or near Long Island, or anywhere within the limits of our dominions, to an entire obedience to our government, . . . . . they having no kind of right to hold what they are in possession of."

Nicholls steered directly for Boston, where, upon his arrival, he conferred with the authorities in obedience to these instructions, and obtained recruits for the expedition. He then sailed for Connecticut, and receiving on board Governor Winthrop, proceeded to Manhattan, arriving near the close of August. Before opening formal negotiations with Governor Stuyvesant, the English commissioners issued a proclamation to the people, offering the most liberal regulations as to government, trade, and commerce, and entire security to person and property, provided they would transfer their allegiance to the English Crown. The allurements thus held

out were very tempting, promising a more liberal internal policy than was afforded under Dutch rule. A formal demand for the surrender of the government was then made. Stuyvesant was disposed to resist; but his people, with whom he had frequently quarrelled before, respecting their rights as citizens, were not disposed to second him. At length, seeing that he was powerless, Stuyvesant, on the 8th of September, yielded to the demand, and New Netherland passed under English rule.

Sir Robert Carr was immediately dispatched to the Delaware with a force sufficient to effect the reduction of the colony. Pursuing a policy similar to that adopted by Nicholls, Carr sailed past the fort, and addressed himself to the conciliation of the Swedes and Finns, which was speedily accomplished.

He then approached the fort and demanded its surrender. But every proposition for an amicable transfer of the government was rejected by D'Hinoyossa, though the fort was in no condition for resistance, and was garrisoned by only fifty men. "Whereupon," says Carr, "I landed my soldiers on Sonday morning following, and commanded y$^{e}$ shipps to fall down before ye fort w$^{th}$ muskett shott, w$^{th}$ directions to fire two broadsides apeace uppon y$^{e}$ fort, then my soldiers to fall on. Which done y$^{e}$ soldiers neaver stoping untill they stormed y$^{e}$ Fort, and sae consequently to plundering; the seamen, noe less given to that sport, were quickly w$^{th}$in, and have gotten good store of booty. The loss on our part was none; the Dutch had ten wounded and three killed."

ROBERT NEEDHAM. — Maddened by the resistance offered, the town was given up to shameless plunder. Forty horses, sixty cows and oxen, one hundred sheep, and from sixty to seventy negroes were seized, and the personal possessions of the Dutch authorities were appropriated by the leaders, — Sir Robert Carr seizing the farm of D'Hinoyossa; his brother, Captain John Carr, that of Sheriff Van Sweringen; and Ensign Stock that of Peter Alrichs. This selfish and unwarrantable

procedure was discountenanced by Nicholls, who soon after visited the Delaware, and appointed Captain Robert Needham to the chief command in that colony, though retaining in his own hands supreme authority throughout his entire dominions.

Before sending his fleet for the forcible reduction of New Netherland, the Duke of York had granted to Lord Berkeley and Sir George Carteret all that territory now included in the southern limits of New Jersey. Up to this time few settlements had been made on the east side of the Delaware, and these had claimed little attention or care of the government.

Nicholls made a digest of the laws which had been in force in the several English American colonies, which were known as the *Duke's Laws*, and these he promulgated for the government of his own territory. His will was, however, the supreme law, as his counsellors were subservient, and the judicial officers were of his own appointment. But this authority was judiciously exercised, and general prosperity was assured during his administration.

COL. FRANCIS LOVELACE, 1667–1673. — Captain John Carr. — In May, 1667, Nicholls was succeeded by Col. Francis Lovelace, and early in the following year regulations for the government of the military and civil authorities upon the Delaware were drawn up by the council in New York. By the terms of these regulations, a commissioned officer and twenty soldiers were provided to uphold the English authority upon the river, and Captain John Carr was selected as the commissioned officer. For the maintenance of civil order, it was provided that, as often as complaint was made, the commissioned officer was to summon "the schout, Hans Block, Israel Helm, Peter Rambo, Peter Cock, Peter Alrichs, or any two of them, as counsellors, to advise him, and determine, by the major vote, what is just, equitable, and necessary in the case in question." A similar commission was to decide all Indian difficulties, and order the arming of the

inhabitants when necessary, which orders and summons must be obeyed. The counsellors were to be duly instructed in the laws, and in all cases of difficulty appeal was to be had to the superior government at New York. Two murders had been committed about this time by Indians while maddened by liquor, whereupon Peter Rambo proceeded to New York, at the request of the leading men of the tribe, to ask that the sale of strong drinks to the Indians be absolutely prohibited. The whole matter was finally referred to Carr and his commission, whose decision was to be final.

In the year 1669, one Marcus Jacobson, known as the *Long Finn*, said to have been a son of Coningsmark, a noted Swedish General, together with Henry Coleman, also a Finn, attempted to incite insurrection by seditious speech. They appear to have been lawless characters, who had abandoned civilized for savage life. On the 2d of August, Governor Lovelace issued a proclamation for their arrest, and for the confiscation of their property, unless they gave themselves up within fifteen days. The *Long Finn* was taken, held in irons, tried, convicted, and adjudged worthy of death, but was finally "publicly and severely whipped, and branded with the letter R, with an inscription written in great letters and put upon his breast, that he received that punishment for attempting rebellion." He was afterwards transported to Barbadoes, where he was sold. Many of the simpler sort were found guilty, and it was ordered that they be treated with "severity, and such taxes laid on them as may not give them liberty to entertain any other thoughts but how to discharge them." Coleman was also apprehended and transported.

In 1671, upon the recommendation of Captain Carr, several orders were made by the council in New York appertaining to affairs upon the Delaware. Among others, it was provided that none except those who were licensed should be allowed to distil or to sell spirituous liquors. The temper of the Indians at about this time gave cause to apprehend a general uprising, and the people were warned to retire into

the towns, and every person between sixteen and sixty was ordered to provide himself with powder and bullets. For the detection of the Indians who had committed the two murders above referred to, Peter Alrichs was sent to New York, where, on the 25th of September, 1671, he testified before the council respecting the facts in the case. Upon the return of Alrichs a conference was held at the house of Peter Rambo, with the sachems of the tribes to which these Indians belonged, who promised to bring in the murderers within six days, dead or alive. One of the offenders escaped; but the other, on being overtaken by one of his tribe, — a friend, — and told that the sachems and his brothers had said that he must die, requested his friend to shoot him, which was accordingly done, and his body, after being carried to Fort Casimir, now called New Castle, was hung in chains.

In 1672, George Fox, the founder of the Society of Friends, travelled through the Delaware country, fording streams in his course, camping out at night, and visiting and counselling with his followers on his way. At New Castle he was kindly received by Captain Carr. "Being very weary," he says, "and inquiring in the town where we might buy some corn for our horses, the Governor came into the street and invited me to his house, and afterwards desired me to lodge there, telling me he had a bed for me, and I should be welcome."

## CHAPTER V.

### DUTCH RULE, 1673–74.

ANTHONY COLVE, *Governor of New Netherland*, 1673 *to* 1674. — PETER ALRICHS, *Deputy Governor on west side of the Delaware.* — In 1673, Louis XIV., the haughty monarch of France, declared war against the Netherlands, and moved by land for its invasion with two hundred thousand men, while England, with a powerful fleet, descended upon the Dutch coast. The aged De Ruyter and the youthful Tromp led out the Dutch fleet to meet the threatened danger, and the population, in a spirit of unexampled patriotism and devotion, abandoned their homes, and, cutting the dikes which held back the sea, invited inundation. In three desperate naval battles, fought on the 7th and 14th of June and the 21st of August, De Ruyter held the English at bay, and finally defeated his adversaries. In the meantime, a small Dutch squadron, under the command of Commodores Evertsen and Benckes, had been dispatched for the recovery of New Netherland. Arriving before the fort at New York on the 6th of August, fifteen days before the last great naval engagement upon the Dutch waters, submission of the English to the power of Holland was demanded. Governor Lovelace had just departed for New Haven, where he was to meet in council the Connecticut authorities. The fort was in command of Captain John Manning; but no preparations having been made for defence, the English power, after a brief resistance, was surrendered to the Dutch. Captain Anthony Colve, who was in command of the military forces, was placed in supreme authority. Several of the English soldiery were sent prisoners to Holland, and Governor Love-

lace returned with the squadron to Europe. The entire territory of New Netherland, as it passed from the hands of Stuyvesant, was thus recovered, and, in honor of the Prince of Orange, was called New Orange.

News of the conquest soon reached the Delaware, and deputies were immediately dispatched to New York to give in their adhesion to the new power. In return for this prompt submission, liberal privileges of trade and rights under government were granted. Three courts were established, one at Nieuer Amstel, one at Hœrn Kill, and one at Upland, the inhabitants being required by plurality of votes to nominate for each, eight persons, from among whom justices were selected by the council at New York. Peter Alrichs was appointed Commander and Schout, and Walter Wharton, Surveyor. Alrichs was commissioned to administer the oath of allegiance to all the inhabitants on the Delaware. Property of the English government was confiscated, but the private possessions of its officers were restored.

## CHAPTER VI.

### ENGLISH RULE, 1674–81.

SIR EDMUND ANDROS, 1674 to 1681. — CAPTAIN EDMUND CANTWELL.—Scarcely had the authority of the Dutch on the Delaware been confirmed and settled, when, on the 9th of February, 1674, peace was concluded between England and the Netherlands, by the terms of which New Netherland was restored to the dominion of the English. That the conquest by the Dutch might in no way impair the rights of the Duke of York, King Charles renewed the grant of territory as formerly described, and Sir Edmund Andros was sent to repossess the government, surrendered by Lovelace. Colve yielded his power amicably, in compliance with the terms of the treaty, to Andros, who, on the 9th of November, 1674, issued his first proclamation, reinstating affairs throughout his dominions as they were previous to the surrender. Edmund Cantwell and William Tom were dispatched to the Delaware to take possession of the fort and all government property, and ten justices were appointed, who were to "resume their places as magistrates." Cantwell was commissioned Captain and Schout, and was empowered to administer the official oath to the justices. For his forwardness in voluntarily submitting to the Dutch the year before, Peter Alrichs was deprived of his office of judge, but was subsequently reinstated. Captain Cantwell was substantially invested with the full power of Deputy-Governor. In May, 1675, Governor Andros visited the Delaware, and, on the 14th and 15th, held a court at New Castle, in which orders were made relative to the opening of roads, the regulation of church property and the support of preaching, the prohibi-

tion of the sale of liquors to the Indians, and the distillation thereof by the inhabitants.

In 1675, the ship *Griffith*, from London, with several families, arrived in the Delaware, the passengers settling at Salem, on the east or New Jersey side of the river, — John Fenwick, Edward, Robert, and John Wade, and Richard Noble, members of the Society of Friends, being of the number. William Edmundson, an eminent preacher of this faith, visited the colony during the same year, holding meetings at Upland, New Castle, and other places.

JOHN COLLIER. — On the 23d of September, 1676, Cantwell was superseded in chief authority by Captain John Collier, with the title of "Commander in Delaware River and Bay," and on the same day justices of the peace for the several courts, to serve for the period of one year, were appointed. Full and formal instructions were issued to these by Andros and his council, the preamble to which was in these words: "*Whereas*, The Last Ieare att my beeing att Delowar uppon application of the Inhabitants Representing that my p[r]decesso[r] Govern[r] Lovelace had begun to make a Regulacon for the due administracon of Justice according to the lawes of this Government pursuant to wich I: did appoint some majistrates and made some Rules for their proceeding the Ieare e'suing or till further order; In which haveing uppon mature deliberation, by the advyce of my Councill made some alteracon, They are to Remaine and bee in force in forme following:" Here follow twelve articles for the regulation and government of the colony. The list of taxable male inhabitants between the ages of sixteen and sixty years, made in the beginning of 1677, for Upland District, was one hundred and thirty-six, and for New Castle, three hundred and seven.

CHRISTOPHER BILLOP. — Collier, having usurped authority by sitting as judge of the court at New Castle, was deposed by Governor Andros, and Captain Christopher

Billop was commissioned to succeed him. In this year three ships arrived from England with families of emigrants, principally Quakers, who settled for the most part in West Jersey, but a portion along the western shore of Delaware.

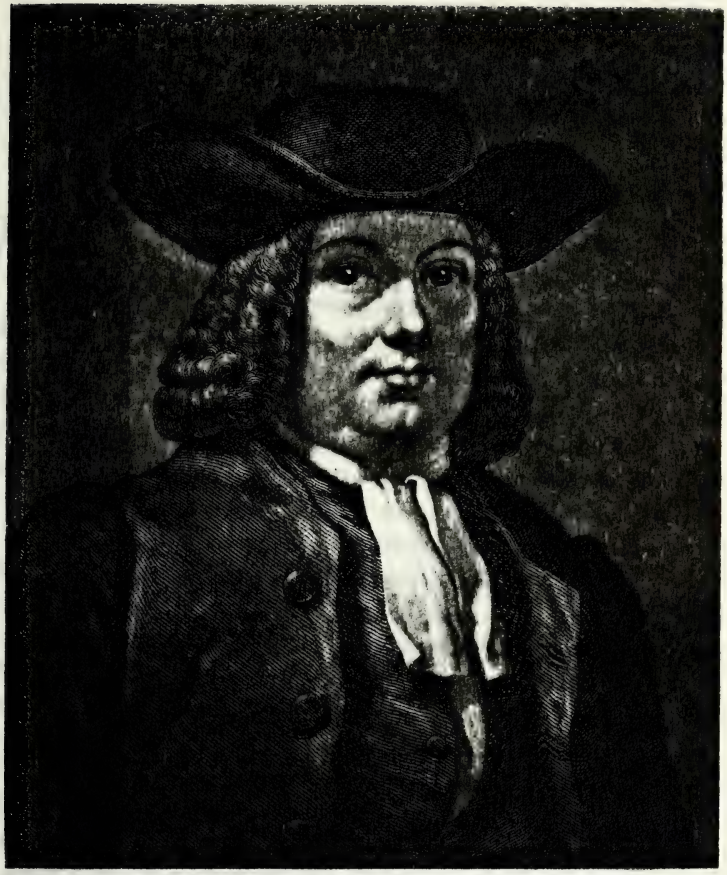
Berkeley and Carteret, to whom the Duke of York had conveyed New Jersey, finding the revenues from their possessions insignificant, and being constantly harassed with difficulties in asserting authority over them, in March, 1674, shortly after the return of George Fox from his visit to Friends in the New World, sold, for a thousand pounds, an undivided part of their territory, to John Fenwick in trust for Edward Byllinge, both members of the Society of Friends. The fortunes of Byllinge were so impaired that it became necessary to assign his property for the benefit of his creditors, and Gawen Laurie, William Penn, and Nicholas Lucas were appointed assignees. Two years later, disputes between the purchaser and proprietors having arisen, a division was effected, by which Byllinge was put in possession of West New Jersey as his share of the province. In the discharge of his trust as assignee, William Penn first became interested in settlements in America. In March, 1677, the constitution of West New Jersey, a document drawn with great care, and in a spirit of unexampled liberality, was promulgated. Numbers of the Society of Friends, fleeing from persecution at home, sought the new country.

The father of William Penn, an admiral in the British Navy, who had won distinction in the conquest of Jamaica, and in engagements with the Dutch, had died, bequeathing to his son a claim upon the English government for sixteen thousand pounds. The King, who was always harassed with debts, was disposed to listen to any proposal by which money could be realized. To the son's application for large grants of land west of the Delaware, in payment of this claim, a ready ear was given. Lord Baltimore, proprietor of Maryland, who was kept constantly advised of the designs of Penn, threw many obstacles in his way. But, steadily pressing his suit, on the 4th of March, 1681, his desire was

at length gratified. "After many waitings, watchings, solicitings, and disputes in council, my country," says Penn, "was confirmed to me under the great seal of England. God will bless and make it the seed of a nation. I shall have a tender care of the government, that it be well laid at first." It embraced the territory between three degrees of latitude and five of longitude, west from the Delaware, and was named Pennsylvania by the will of the King, though in opposition to the vigorous protest of Penn, who desired that it should be called New Wales. In the preamble to the royal charter, the King states that he makes this grant to Penn on account of the "commendable desire he expresses to enlarge the British empire by promoting trade, to reduce the savage natives by just and gentle manners to the love of civil society and the Christian religion, and to transport an ample colony to an uncultivated country." In return for this grant, it is provided that Penn shall pay "two beaver-skins, to be delivered at our castle in Windsor, on the first day of January in every year, and also the fifth part of all gold and silver ore which may happen to be found."

# PART II.

# PROPRIETARY GOVERNMENT.



Thy Cordiall Frd
Wm Penn



## CHAPTER I.

### WILLIAM PENN, PROPRIETOR, 1681–93.

WILLIAM MARKHAM, *Deputy Governor, June, 1681, to October, 1682.*—Not being in readiness to depart for his newly acquired possessions, Penn dispatched his kinsman, William Markham, armed with the authority of Deputy Governor, to take formal possession, and rule until his arrival. By the hands of Markham, Penn addressed a letter to the colonists upon the Delaware, advising them of the transfer of authority, and promising most liberal terms. "You are now fixed," he says, "at the mercy of no governor who comes to make his fortunes great. You shall be governed by laws of your own making, and live a free, and, if you will, a sober and industrious people. I shall not usurp the right of any, or oppress his person. In short, whatever sober and free men can reasonably desire for the security and improvement of their own happiness, I shall heartily comply with." The King also published his declaration, making public the grant and its extent, and directing obedience of the inhabitants to the Proprietor and his deputies.

Markham's commission was given on the 6th of March, two days after the date of the charter, and he immediately started for the province. He proceeded directly to New York to inform the Governor, who then held sway upon the Delaware, of the King's pleasure. Andros, having been previously called to account for some official mismanagement by an agent of the Duke of York, John Levin, had departed for England, leaving Captain Anthony Brockholls in chief authority. To Brockholls, therefore, Markham delivered the King's declaration, and from him received a

letter addressed to the justices and other magistrates acting within the limits of the new grant, informing them that the King's patent to William Penn had been shown him by Markham, and been entered in the official records of his government, returning them thanks for their good service, and requesting that they transfer their allegiance to the new proprietor. With this letter, which was dated New York, June 21st, 1681, Markham proceeded immediately to the Delaware, where he was kindly received and his authority unhesitatingly accepted. He was empowered, by his commission, to call a council of nine, over whom he was to preside. The attestation of these councillors, which was dated August 3d, was in these words: "Wee do hereby bind ourselves by our hands and *seales*, that wee neither act nor advise, nor consent, unto anything that shall not be according to our own consciences the best for y^e^ true and well Government of the said Province." Two of these councillors did not write their own names.

Markham also brought a letter, addressed to Lord Baltimore, with reference to the settlement of the boundary between the two provinces. On receipt of this, Lord Baltimore came to Upland to confer with Markham upon this subject, when it was ascertained by an observation then taken, that Upland, the heart of the colony, was twelve miles south of the forty-first degree of latitude; whereas, the charter of King Charles fixed the southern boundary of Pennsylvania at "the *beginning* of the fortieth degree, or at the end of the thirty-ninth." This would have included the city of Baltimore, and even the site of the present city of Washington. Ignorance of the geography, on the part of the royal secretaries, had occasioned confusion in drawing the charters, and consequently Markham could settle nothing. This attempt at an amicable composition was the beginning of a controversy which was maintained with much spirit for many years, and until after the death of Penn. It was finally agreed, much in the interest of Maryland, to adopt the segment of a circle

drawn at a distance of twelve miles from New Castle, beginning at the point where this line cuts the western shore of the Delaware, and continuing until it cuts the fortieth degree and forty-fourth minute of north latitude, and from that point westward on that parallel, being fifteen miles south of Philadelphia, and two surveyors, Thomas Mason and Jeremiah Dixon, were appointed in 1763, to run the line. The names of these surveyors have become world-renowned, as the line which they thus established marked the division between the Free and Slave states.

The last court held at Upland under the government of the Duke of York, adjourned on the 14th of June, to meet again on the 13th of September, 1681; and on the latter day a court convened, the justices acting under commissions issued by Markham.

The instructions of the new governor required that the government should be administered "according to the good laws of England." But the *Duke's Laws*, which had previously been in force in the colony, were principally enforced, without particular regard to the niceties, or even the essentials of English law. The word *good* in the above-cited passage may have had an equivocal meaning, and those which were *thought* to be good alone have been adopted.

In the meantime, Penn published in England a description of his province, with particular and well-timed advice to those who would emigrate, especially enjoining upon them "to consider seriously the premises, as well the present inconveniency, as future ease and plenty; that so none may move rashly, or from fickle, but solid minds, having above all things an eye to the providence of God in the disposal of themselves."

Late in this year, two ships sent from England arrived in the colony. In these were four commissioners, — William Crispin, John Bezer, William Haige, and Nathaniel Allen. Crispin had been appointed surveyor-general; but he having died on the passage out, Thomas Holme was

appointed in his place. The duties of these commissioners were, to preserve friendly relations with the Indians, acquire lands of them, and survey and apportion them; but chiefly to select the site of, and lay out a great city. That he might secure the favor of the Indians, Penn addressed them a letter by the hands of these commissioners, in which he says: "There is a great God and power, that hath made the world, and all things therein; to whom you and I, and all people owe their being, and well-being; and to whom you and I must one day give an account, for all that we do in the world. This great God hath written his law in our hearts, by which we are taught and commanded to love, and help, and do good to one another. Now this great God has been pleased to make me concerned in your part of the world; and the King of the country where I live, hath given me a great province therein; but I desire to enjoy it with your love and consent; that we may always live together, as neighbors and friends; else what would the great God do to us, who hath made us, not to devour and destroy one another, but to live soberly and kindly in the world?"

Markham made a large purchase of the Indians on the Delaware, above Shackamaxon, and for seven weeks was engaged, in company with the commissioners and surveyors, in sounding the river, and searching for a site for the great city, which, by the instructions, was to embrace ten thousand acres. "Be sure to make your choice," says Penn, "where it is most navigable, high, dry, and healthy; that is, where most ships may best ride, of deepest draught of water, if possible to load or unload at the bank or key's side without boating and lightening of it. It would do well if the river coming into that creek be navigable, at least for boats up into the country, and that the situation be high, at least dry and sound, and not swampy, which is best known by digging up two or three earths and seeing the bottom."

Upland, now Chester, had been in the mind of Penn as the location which would be adopted; but Markham discarded this, and after considering Pennsbury Manor, above

Bristol, and the land on Poquessing Creek, finally settled upon the present site of Philadelphia. This was between two rivers; it was dry and commanding ground; and the Delaware was deep, fulfilling all the requirements of the Proprietor; but the area between the two rivers was not sufficient for a city of ten thousand acres in a compact body; so a smaller tract was agreed upon. The plot extended two miles from river to river, and one mile in width. It was laid out in regular squares, the streets crossing each other at right angles, with suitable parks and public grounds.

Penn obtained from the Duke of York a deed of release for his Province, and also two deeds, the one conveying New Castle County, and the other the counties of Kent and Sussex, which three counties were known as the territories, in distinction from the Province of Pennsylvania, and which afterwards became the State of Delaware.

Having completed his preparations, Penn sailed for the Delaware, arriving at New Castle on the 8th of November, 1682, when he assumed authority.

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## WILLIAM PENN.

**[The following sketch of the life of William Penn, the great founder of Pennsylvania, has been prepared expressly for this work by Samuel M. Janney, author of "The Life of William Penn," "The Life of George Fox," "The History of the Society of Friends," &c.]**

William Penn, the founder of Pennsylvania, was the son of Vice-Admiral Sir William Penn, a distinguished commander in the British Navy, and was born in the city of London, the 14th of October, 1644. His mother was a pious and judicious woman, who encouraged in her son those virtuous dispositions which, even in his childhood, gave the promise of future excellence.

In the year 1656, Admiral Penn removed with his family to Ireland, where he possessed valuable estates, and William, being then about twelve years of age, diligently pursued his studies at home under the direction of a private tutor. At the age of fifteen, he went to Oxford, and was entered as a student at Christ Church College. While residing at Oxford, he attended a meeting of the Religious Society of Friends, who were in derision called "Quakers," and Thomas Loe, who formerly belonged to the University, preached a sermon which had a powerful effect upon his mind. He was convinced that the simplicity and purity of the Christian religion were lost sight of by most of its professors, while their attention was occupied by a round of lifeless ceremonies. Finding that some of his fellow-students were, like himself, dissatisfied with the established form of worship, he united with them in holding meetings for Divine worship, in which they engaged in exhortation and prayer. This course, and their withdrawal from the national worship, were severely censured by the officers of the college; and the young men being withheld by a sense of duty from conforming, were finally expelled. On his return to his home, his serious deportment gave great dissatisfaction to his father, who feared that this change of manners would blast all his prospects for worldly honor.

The Admiral, though kind at heart, was a stern disciplinarian; he remonstrated in strong terms, and finding that William adhered to his religious principles, he expelled him from his house. He was, however, soon recalled, through the intercession of his mother, when his father adopted the expedient of sending him to France, in company with some persons of rank who were about to make the tour of Europe. After a brief stay in Paris, he went to Saumur, to enjoy the conversation and instruction of the learned Moses Amyrault, a Protestant minister and professor of Divinity. While residing there, he read attentively the early Christian writers and other ecclesiastical works.

In the year 1664, he returned from the Continent, bringing

with him the polish of French society, and leaving behind him a portion of that serious demeanor which had so much displeased his father. Soon after his return he became, at his father's suggestion, a student at Lincoln's Inn, in order to acquire a knowledge of the laws of England.

In the spring of 1666, his father sent him to Ireland, and furnished him with a letter of introduction to Sir George Lane, Secretary of the Duke of Ormond, who was then Lord-Lieutenant, and presided over a court of great splendor. He was received with marked attention, and became a welcome guest in that gay circle. During his residence there, a mutiny took place among the soldiers in the garrison of Carrickfergus, and he, being acquainted with the use of arms, joined the forces under the Lord of Arran (second son of the Duke of Ormond), and evinced so much valor in quelling the mutiny, that the Duke wished to make him a captain of infantry. This flattering proposal he showed a willingness to accept; but happily for himself and for the world, his father interposed to prevent it, and he was reserved for a nobler field of service in the cause of humanity.

About this time was painted the only portrait of William Penn ever taken from the life. A copy of this portrait was presented by Granville Penn, author of the "Memorials of Sir William Penn," to the Historical Society of Pennsylvania. It represents him in military costume, which seems to indicate his aspirations for martial life.

It was, however, for a short time only that Penn was permitted to indulge in visions of worldly glory, for Divine Providence, which shapes the destinies of the world's benefactors, was watching over him, and the propitious moment was nigh at hand when an opportunity would be offered for his acceptance of a post in a spiritual warfare. Being at Cork on business, he heard that Thomas Loe was to be at a meeting of the Friends in that city, and his affection for that eminent minister prompted him to attend. After an interval of silence, the preacher commenced his discourse with these words: "There is a faith which overcomes the world, and

there is a faith which is overcome by the world." On this theme he spoke so impressively that Penn's early convictions were revived, and his sense of religious duty was so overpowering that he determined to renounce worldly glory and devote himself to the service of God. He became a constant attendant at the meetings of Friends, and was soon called to share their sufferings, being taken with others from a meeting in Cork and imprisoned.

While in prison, he wrote to the Earl of Orrery, Lord President of Munster, pleading for liberty of conscience, and praying that a stop might be put to persecution for religious dissent. This was his first essay in behalf of universal toleration, — the beginning of that series of efforts which, after more than twenty years of arduous conflict, were crowned with success.

He was soon liberated, and, being recalled by his father, returned to his home in England. Here he was subjected to trials more severe than his imprisonment in Ireland, for his father could not tolerate the unflattering mode of address adopted by the Friends, and, after remonstrating strenuously against it, again expelled him from his house.

This conduct of the Admiral originated in disappointed pride. He had indulged in brilliant prospects of worldly honor for his son, whose promising talents and remarkable acquirements gave assurance of success in political life, and a peerage was believed to be within his reach. But now he had renounced all these prospects, and joined himself to a persecuted sect, who were regarded as fanatics by the fashionable world. At length his father, softened, perhaps, by the entreaties of his wife, so far relented as to allow him to obtain subsistence at home, but gave him no open countenance.

Penn became connected with the Society of Friends in the year 1667, and the following year he felt himself called to the gospel ministry, in which he became distinguished by qualifications of a high order. As a writer of religious works he soon became widely known, and his abilities were

generally acknowledged. Some of his productions of this class were of a controversial nature, others were practical, and all were imbued with his fervent and devotional spirit.

One of his tracts, which sprung from a controversy of the Friends with Vincent, a Presbyterian minister, bears the following title: "The Sandy Foundation Shaken, or those so generally applauded doctrines, of one God subsisting in three distinct and separate persons; the impossibility of God's pardoning sinners without a plenary satisfaction; the justification of impure persons by an imputative righteousness *refuted*, from the authority of Scripture testimonies and right reason."

This work gave great offence to the clergy, and especially to the Bishop of London, who procured from the Government an order for Penn's imprisonment in the Tower. During his confinement, which lasted eight and a half months, he employed much of his time in writing religious books, one of which, entitled "No Cross no Crown," has been extensively circulated. He was visited in prison by Dr. Stillingfleet, afterwards Bishop of Worcester, who was sent by the King to endeavor to change his judgment. "I told him," says Penn, "and he told the King, that the Tower was the worst argument in the world to convince me; for, whoever was in the wrong, those who used force for religion never could be right. So, neither the Doctor's arguments, nor his moving and interesting motives of the King's favor and preferment, at all prevailed."

While in prison he wrote a tract entitled "Innocency with her Open Face," presented by way of apology for the "Sandy Foundation Shaken." This tract was intended to explain some passages in the former work. "One of the main ends," he says, "which first induced me to that discourse, I find delivered by him (Stillingfleet), namely: 'If they did believe Christ came into the world to reform it, — that the wrath of God is now revealed from heaven against all unrighteousness, — that His love, which is shown to the world, is to deliver them from the hands of their enemies, that they might serve him in righteousness and true holiness all the

days of their lives, — they never could imagine that salvation is entailed by the gospel upon a mighty confidence or vehement persuasion of what Christ hath done and suffered for them.' Thus doth he confess upon my hypothesis or proposition, what I mainly contend for; and, however positively I may reject or deny my adversaries' unscriptural and imaginary satisfaction, let all know this, that I pretend tc know no other name by which remission, atonement, and salvation can be obtained but Jesus Christ, the Saviour, who is the power and wisdom of God." *

Soon after the appearance of this tract he was released from the Tower, and it was thought he owed his discharge to the intercession of the Duke of York, who afterwards took the title of James II. This kindness on the part of the Duke, and his continued favor after he became King, produced in the mind of Penn a sentiment of gratitude and a personal attachment which continued through life, and subjected him to groundless suspicion and persecution after the fall of his royal patron.

In the year 1670, William Penn, while preaching at a Friends' meeting in London, was arrested under authority of the Conventicle Act, which was intended to suppress all religious meetings conducted "*in any other manner* than according to the liturgy and practice of the Church of England." In company with his friend, William Mead, of London, who was taken at the same meeting, Penn was tried at the court called the Old Bailey. The court endeavored to browbeat the jury, and then to compel them by starvation to bring in a verdict according to its arbitrary will. Penn and Mead made their own defence with great ability, and were acquitted by the jury, but, being fined by the court for keeping on their hats, they were remanded to prison for non-payment of their fines. The jury were also fined "40 marks a man" for an alleged contempt of court, and, being sent to prison, they employed able counsel, who brought their case before the Court of Common Pleas, and

* Penn's Select Works, p. 26.

obtained their release. This trial was attended with important results, in the greater security and more firm establishment of civil liberty in England.

In the year 1670, Admiral Penn, being on his death-bed, and anxious to see his son, sent the money privately to pay his fine, and that of his companion-in-bonds. The meeting between the father and son was deeply moving to both, and the Admiral sent one of his friends to the Duke of York with his dying request, that he would endeavor to protect his son from persecution, and use his influence with the King on his behalf. The answer was encouraging, both the King and the Duke promising to comply with his request.

Sensible of his approaching end, Admiral Penn addressed his son in these words: "Son William, I am weary of the world! I would not live over my days again if I could command them with a wish; for the snares of life are greater than the fears of death. This troubles me, that I have offended a gracious God. The thought of that has followed me to this day. Oh! have a care of sin! It is that which is the sting both of life and death. Three things I commend to you:

"First. Let nothing in this world tempt you to wrong your conscience; so you will keep peace at home, which will be a feast to you in the day of trouble.

"Secondly. Whatever you design to do, lay it justly and time it seasonably, for that gives security and dispatch.

"Lastly. Be not troubled at disappointments; for, if they may be recovered, do it; if they cannot, trouble is vain. If you could not have helped it, be content; there is often peace and profit in submitting to Providence; for afflictions make wise. If you could have helped it, let not your trouble exceed instruction for another time. These rules will carry you with firmness and comfort through this inconstant world."

At his father's death, William Penn came into possession of an ample estate, affording an annual income of fifteen hundred pounds. This enabled him to contribute liberally to

charitable purposes, and there is abundant evidence to show, that throughout life he made use of his wealth for the benefit of others, rather than to promote his own ease or indulgence.

About the time of his father's death Penn wrote and published a tract called "A Seasonable Caveat against Popery," being an answer to a pamphlet entitled, "An Explanation of the Roman Catholic Belief." In this tract he treats of the Roman Catholic doctrines relative to the Scriptures, the Trinity, prayer to saints and angels, justification by merits, the eucharist, prayers in Latin, and for the dead, &c.; showing that, for many of their principles and practices, there is no authority in the Scriptures, nor in the example of the primitive Church. Although he thought it his duty to caution the public against the inroads of Catholic doctrines, yet he declares, in his introductory remarks, that nothing is further from his purpose than "incensing the civil magistrate against them (were such a thing possible), for he was himself a friend to an universal toleration of faith and worship." Notwithstanding this tract, and many other passages in his writings, showing his strong opposition to Papal doctrines, he was frequently accused of being a Catholic, and even a Jesuit, in order to raise a popular prejudice against him.

In the same year, he was committed a second time to Newgate prison for preaching at a Friends' meeting. During the six months that he was immured in that loathsome abode of misery and crime, he employed much of his time in writing on religious subjects. One of the most important of his tracts then produced is entitled, "The Great Cause of Liberty of Conscience once more briefly Debated and Defended by the Authority of Reason, Scripture, and Antiquity."

In 1672, being in the 28th year of his age, he married Gulielma Maria Springett, daughter of Sir William Springett, formerly of Darling, in Sussex, who was killed in the Civil War at the siege of Bamber. She was beautiful in person, and was esteemed a woman of extraordinary merit and great sweetness of temper. Penn considered it "a match of Providence's making," and says, "She loved me with a deep and

upright love, choosing me before all her many suitors." Soon after their marriage they went to live at Rickmansworth, in Hertfordshire.

In the year 1676 Penn was engaged, with others, in framing a constitution for the colony of West New Jersey. The province of New Jersey was divided by a deed of partition, signed by Sir George Carteret on the one part, to whom was conveyed the eastern section bordering on the Atlantic, and by Edward Byllinge, William Penn, Gawen Lourie, and Nicholas Lucas, Trustees, on the other part, to whom was assigned the western section bordering on the Delaware. The Trustees, of whom Penn appears to have been the leading spirit, wrote to the colonists concerning the Constitution in these words: "Here we lay a foundation for after ages to understand their liberty as men and Christians, that they may not be brought in bondage but by their own consent; for we put *the power in the people*, that is to say, they to meet and choose one honest man for each propriety who hath subscribed the concessions [or Constitution]; all these men to meet in an assembly, there to make and repeal laws, to choose a governor or a commissioner, and twelve assistants, to execute the laws during pleasure; so every man is capable to choose or be chosen. No man to be arrested, condemned, imprisoned, or molested in his estate or liberty but by twelve men of the neighborhood; no man to lie in prison for debt, but that his estate satisfy as far as it will go, and be set at liberty to work; no person to be called in question or molested for his conscience, or for worshipping according to his conscience." *

Under the management of Penn and his associates, the colony of West New Jersey was prosperous. Colonists, mostly Friends, arrived in considerable numbers, and the Indians, being kindly and justly dealt with, proved to be excellent neighbors.

In the same province, ten years before, the statutes of Carteret and Berkeley required each colonist to provide himself with a good musket, powder, and balls; but now the

* Smith's Hist. of N. J., p. 81.

Friends came among their red brethren armed only with the weapons of the Christian's warfare,— integrity, benevolence, and truth; they met them without fear or suspicion, trusting in that universal principle of light and life which visits all minds, and would, if not resisted, bind the whole human family in one harmonious fraternity.

The experience gained by Penn in framing the government of New Jersey, and the information he acquired concerning the adjacent territories, prepared him for that great enterprise of founding a colony on the western bank of the Delaware, which proved to be the crowning achievement of his useful and eventful life. He inherited from his father a claim on the British Government for money advanced and services rendered, to the amount of sixteen thousand pounds; and in the year 1680, petitioned Charles II. to grant him, in lieu of this sum, a tract of country in America, lying north of Maryland, "bounded on the east by the Delaware river, on the west limited as Maryland, and northward to extend as far as plantable."

The object of this enterprise was to provide a peaceful home for the persecuted members of his own Society, and an asylum for the oppressed of every nation; where the pure and peaceable principles of Christianity might be carried out in practice.

After many delays, he had the gratification to learn that his patent was prepared for the royal signature, which was affixed to it under date of the 4th of March, 1681, the name of Pennsylvania being chosen by the King.

Within a month from the date of the charter, the King issued a declaration, stating the grant that had been made to Penn, and requiring all persons settled in the Province to yield obedience to him as absolute proprietor and governor.

About the same time, Penn addressed a letter to the inhabitants of the Province, in which he says: "These are to let you know that it hath pleased God, in his providence, to cast you within my lot and care. It is a business that, though I never undertook before, yet God hath given me an under-

standing of my duty and an honest mind to do it uprightly. I hope you will not be troubled at your change and the King's choice, for you are now fixed at the mercy of no governor that comes to make his fortune great. You shall be governed by *laws of your own making*, and live a free, and, if you will, a sober and industrious people. I shall not usurp the right of any or oppress his person. God has furnished me with a better resolution, and given me his grace to keep it."

This letter, with the King's declaration, was taken to the Province by Sir William Markham, a cousin of the Proprietary, who was commissioned to act as Deputy Governor. Captain Markham arrived at New York on the 21st of June, where he obtained an order from the Lieutenant-Governor of that Province for the surrender of the territory embraced in the charter of Pennsylvania, which had previously been under his jurisdiction.

Having taken these measures to secure his title to the Province, Penn drew up a description of it from the best information he then possessed, and issued proposals for its colonization. The conditions on which land might be taken up were as follows: Those who wish to buy shares in the Province can have 5000 acres for £100, and to pay annually one shilling quit-rent for each hundred acres, the quit-rent not to begin till 1684. Those who only rent are to pay one penny per acre, not to exceed 200 acres. Persons who take over servants are to be allowed 50 acres per head, and 50 acres to every servant *when his time is expired.*

The conditions agreed upon between the Proprietary and some of the principal purchasers who were to be engaged with him in the enterprise, evinced an earnest desire that justice should be done to the Indians. From the King, Penn had purchased "the right of undisturbed colonizing," but he looked upon the Indians as the rightful owners of the soil, except that portion of it which they had voluntarily relinquished by treaty.

The conditions or "concessions" are dated the 11th of

July, 1681, and consist of twenty articles. The first ten relate to the survey of a city, "In the most convenient place upon the river for health and navigation, the apportionment of city lots to country purchasers, the laying out of roads, and the working of mines. In the remaining articles, regulations are established for dealing with the natives. Goods sold to them or exchanged for furs, were to be exhibited in open market, in order that imposition might be prevented, or frauds detected; no colonist was allowed to affront or wrong an Indian, without incurring the same penalty as if committed against his fellow-planter; all differences between Indians and colonists were to be settled by a jury of twelve men, six of whom should be Indians; and the natives were to have all the privileges of planting their grounds and providing for their families enjoyed by the colonists."

Penn was at this time offered very advantageous terms for a monopoly of the Indian trade in his Province, but he declined the proposition, from a belief that such a transfer would be a dereliction of his duty to God. Writing to a friend, he says: "I would not abuse His love, nor act unworthy of His providence, and so defile what came to me clean."

In the Spring of 1682, Penn was actively engaged in preparations for his voyage to America, and in drafting a frame of government for his infant colony. The admirable constitution and code of laws prepared in England, with the view of being submitted to the colonists of Pennsylvania, is supposed to have originated with the Proprietary; but there were among the Friends concerned with him in the enterprise several persons of enlarged minds and liberal ideas, who performed an important, though subordinate, part in that great work.

The frame of government agreed upon in England is dated the 25th of April, 1682. It was published the following month, accompanied by a preface explanatory of the general principles of government. It was afterwards modified in form, but its distinctive features are still found in the Constitution of Pennsylvania, and have exercised a salutary influence

on the legislation of other States, as well as in the formation of the Federal Union. The great principle of religious liberty had before been proclaimed in Rhode Island and in Maryland; it was reserved for Penn only to give it a clearer expression and a wider field of action. The privilege allowed to every man, of worshipping God according to the dictates of his own conscience, is not placed on the ground of humane toleration, but established as an inherent right.

In his penal code, the founder of Pennsylvania was far in advance of his age. He looked upon reformation as the great end of retributive justice, and, in pursuance of this idea, exempted from the death-penalty about two hundred offences which were capitally punished by the English law. He wisely observed, "They weakly err who think there is no other use of government than correction, which is the coarsest part of it." To provide the means of a good education for every child, and to see that all are taught some useful trade or profession, would do more to promote peace and happiness than all the machinery of courts and prisons.

There was one defect in the Constitution of Pennsylvania, which was beyond the power of Penn to avoid or remedy. He held the Province as a fief from the Crown; he was a feudal sovereign, acting as the executive of a democracy; and these two elements were found incompatible. His sweetness of temper and weight of character enabled him, while in the Province, to maintain the balance of power; but in his absence, no deputy could be found to supply his place; and to this cause may be attributed many of the dissensions that afterwards arose. When we take into view that his Constitution was then unparalleled for its excellence, and that he ever showed a willingness to alter it in accordance with the wants and capacities of the people, we shall find no other legislator in ancient or modern times, who so richly merits the gratitude of posterity.

Penn, after much negotiation, obtained from the Duke of York two deeds of feoffment, dated the 24th of August, 1682, by one of which he conveyed the town of New Castle and

the country lying within a circle of twelve miles about it, and by the other he conveyed all the land on Delaware Bay, from twelve miles south of New Castle to Cape Henlopen. These Territories, which now form the State of Delaware, were to be held "in free and common socage;" and he was to pay to the Duke, for the first, the yearly rent of five shillings; and for the second, "*one rose* at the feast of St. Michael the Archangel," yearly, if demanded, together with a "moiety of all the rents and profits thereof."

Having made his arrangements for a passage to Pennsylvania in the ship *Welcome*, Greenway, master, Penn addressed a touching and instructive letter to his wife and children, and embarked at Deal, in company with about one hundred passengers, mostly Friends, from Sussex, where his house at Worminghurst was seated.

During the passage the small-pox made its appearance with great virulence, and occasioned much distress. One of the passengers writing of the voyage, says: "The good conversation of William Penn was very advantageous to all the company. His singular care was manifested in contributing to the necessities of many who were sick of the small-pox then on board, of which about thirty died." They came within the Capes on the 24th of October, 1682, and arrived before the town of New Castle on the 27th of the same month.

Penn was joyfully welcomed by the inhabitants, whom he called together at the Court-House, where he explained to them the nature of the government he came to establish, and received from the magistrates written pledges of fidelity and obedience.

On his arrival at Upland, he changed its name to Chester, and tradition relates that he proceeded thence with some of his friends, in an open boat, up the river Delaware. After passing four miles above the mouth of the Schuylkill, they came to a place called Coaquannock, where there was a high bold shore, covered with lofty pines. Here the site of the infant city of Philadelphia had been established, and the Proprietary was welcomed by the old inhabitants, Swedes and

Dutch, with some of the Friends who had gone before him, and anxiously awaited his arrival.

After viewing the site chosen for the city, giving such directions for building as he thought expedient, and attending some meetings of Friends, Penn went to New York, "to pay his duty to the Duke of York by visiting his province."

He returned from this journey towards the end of November, and there is reason to believe that it was at this time that he held the treaty of amity with the Indians, which has been so widely celebrated as the "Great Treaty," under the elm-tree at Kensington,— a transaction which has been illustrated by the pencil of West, and has received the highest praise from historians. It appears that there were at least three Indian tribes present: the Lenni Lenape, living near the banks of the Delaware; the Mingoes, a tribe sprung from the Iroquois, and settled at Conestoga; and the Shawanees, a southern tribe that had removed to the Susquehanna.

It is believed that Governor Penn was accompanied, as usual, by some members of his Council, as well as his secretary and surveyor. Tradition relates that a number of prominent Friends were present, among whom was an ancestor of Benjamin West, whose portrait is introduced by the artist into his celebrated painting of the treaty-scene. We must not take our idea of Penn's appearance from West's picture, in which he is represented as a corpulent old man; for at that time he was in the prime of life, being only thirty-eight years of age, strong and active, graceful in person, and pleasing in manners.

Under the wide-branching elm, the Indian tribes were assembled, all unarmed; for no warlike weapon was allowed to mar the scene. In front were the chiefs, with their counsellors and aged men on either hand. Behind them, in the form of a half-moon, sat the young men and some of the aged matrons; while beyond, and disposed in still widening circles, were seen the youth of both sexes. Among the assembled chiefs, there was one who held a conspicuous rank, — the Great Sachem, Taminend, one of Nature's noblemen, revered for his wisdom and beloved for his goodness.

When Penn and his associates approach the council-fire, Taminend puts on his chaplet, surmounted by a small horn, the emblem of kingly power, and then, through an interpreter, he announces to the Proprietary that the nations are ready to hear him.

Being thus called upon, he begins his speech: "The Great Spirit," he says, "who made me and you, who rules the heavens and the earth, and who knows the innermost thoughts of men, knows that I and my friends have a hearty desire to live in peace and friendship with you, and to serve you to the utmost of our power. It is not our custom to use hostile weapons against our fellow-creatures, for which reason we have come unarmed. Our object is not to do injury, and thus provoke the Great Spirit, but to do good.

"We are met on the broad pathway of good faith and good will, so that no advantage is to be taken on either side, but all to be openness, brotherhood, and love." Here the Governor unrolls a parchment, containing stipulations for trade and promises of friendship, which, by means of an interpreter, he explains to them, article by article; and placing it on the ground, he observes that the ground shall be common to both people. He then proceeds: "I will not do as the Marylanders did, that is, call you children or brothers only; for parents are apt to whip their children too severely, and brothers sometimes will differ; neither will I compare the friendship between us to a chain, for the rain may rust it, or a tree may fall and break it; but I will consider you as the same flesh and blood with the Christians, and the same as if one man's body were to be divided into two parts."

This speech being listened to by the Indians in perfect silence and with much gravity, they take some time to deliberate, and then the king orders one of his chiefs to speak to William Penn.

The Indian orator advances, and, in the king's name, salutes him; then taking him by the hand, he makes a speech, pledging kindness and good neighborhood, and that the Indians and English must live in love as long as the sun and moon shall endure.

This treaty contained no contract for land; its pre-eminent importance consists in this,—it was the *first* time that William Penn had met the Indian chiefs in council, to make with them the firm league of friendship which was never violated, and gave rise to a kindly intercourse between the Friends and the aborigines, which continues to this day. It was like laying the corner-stone of a great edifice, whose enduring strength and beautiful proportions have called forth the admiration of succeeding ages. The whole conduct of Penn towards the Indians was founded in justice and love; he not only paid them for their lands, but employed every means in his power to promote their happiness and moral improvement.

The Indians, on their part, treated the colonists in the most hospitable manner, supplying them frequently with venison, beans, and maize, and refusing compensation. For Penn they felt, and often expressed the utmost confidence and esteem. So great was the reverence inspired by his virtues, that his name was embalmed in their affections, and handed down to successive generations. Heckewelder, in his history of the Indian nations, speaks of the care they took, by means of strings or belts of wampum, to preserve the memory of their treaties, and especially those they made with William Penn. He says: "They frequently assembled together in the woods, in some shady spot, as nearly as possible similar to those where they used to meet their brother Miquon (Penn), and there lay all his words and speeches, with those of his descendants, on a blanket or clean piece of bark, and with great satisfaction go successively over the whole. This practice, which I have repeatedly witnessed, continued until the year 1780, when disturbances which took place put an end to it, probably forever."

The name of Onas was given to William Penn by the Iroquois, whom the Proprietary, and generally the English Colonial Governments, supported in their claim of superiority over the other Indian tribes. It seems that the Delawares adopted the name, at least in their public speeches; but among themselves they called him in their own language —

Miquon. Both these words signify a quill or pen. It is certain that no other man ever attained so great an influence over their minds; and the affectionate intercourse between them and the inhabitants of Pennsylvania, which continued as long as the principles of the first colonists preserved their ascendency, is the most beautiful exemplification afforded by history that the peaceable doctrines of Christ are adapted to promote the security and happiness of man.

On the 4th of December, 1682, a General Assembly met at Chester, composed of representatives from the province of Pennsylvania and the three Lower Counties called the Territories. At this session was passed the "Great Law," or code of laws, consisting of sixty-nine sections, which long formed the basis of jurisprudence in Pennsylvania. It embraces most of the laws agreed upon in England, and some others afterwards suggested. Among the latter is a clause, attributed to the Proprietary, requiring the estates of intestates to go to the wife and children; which, by abrogating the English law of primogeniture, was instrumental in promoting that general equality of condition and division of property deemed so essential in a republican government.

The first section of this code has been much admired, and is here subjoined, viz.:

"Almighty God being only Lord of conscience, Father of lights and spirits, and the author as well as the object of all Divine knowledge, faith, and worship; who only can enlighten the mind and persuade and convince the understanding of people in due reverence to his sovereignty over the souls of mankind; It is enacted by the authority aforesaid, that no person now, or at any time hereafter, living in this province, who shall confess and acknowledge one Almighty God to be the Creator, upholder and ruler of the world, and that professeth him or herself obliged in conscience to live peaceably and justly under the civil government, shall in any wise be molested or prejudiced for his or her conscientious persuasion or practice; nor shall he or she at any time be compelled to frequent or maintain any religious worship-place or ministry whatever, contrary to his or her mind, but shall freely and fully enjoy his or her Christian liberty in that respect without

any interruption or reflection; and if any person shall abuse or deride any other for his or her different persuasion and practice in matters of religion, such shall be looked upon as a disturber of the peace, and be punished accordingly.

"But to the end that looseness, irreligion, and atheism may not creep in, under pretence of conscience, in this province:

"Be it further enacted by the authority aforesaid, that according to the good example of the primitive Christians, and for the ease of the creation, every first-day of the week, called the Lord's Day, people shall abstain from their common toil, and labor, that whether masters, parents, children, or servants, they may the better dispose themselves to read the Scriptures of truth at home, or to frequent such meetings of religious worship abroad as may best suit their respective persuasions."

After a session of four days, the Assembly adjourned, affording an example of unanimity and dispatch seldom equalled.

In the spring of 1683 Penn met the Provincial Council at Philadelphia, and the Assembly two days afterwards. The number of councillors and representatives required by the charter being found larger than necessary, a joint committee of the two Houses was appointed to draft a new charter; which being done, it was read in Council, the members of the Assembly being present; and after some debate, it was agreed to, and signed by the Governor, to whom the old charter was returned, with "the hearty thanks of the whole House." The second charter embraced the same principles as the first, and much of it was in the same language. The number of delegates from each county was reduced to three for the Council and six for the Assembly, with the privilege of each House being enlarged with the increase of inhabitants.

By one of the acts passed at this time, provision was made for the appointment, at every County court, of three peacemakers, in the nature of common arbitrators, to hear and determine all differences between individuals.

In grateful acknowledgment of the Governor's services,

and in consideration of his expense in establishing the colony, the Assembly granted him an impost upon certain imports and exports; but he, with a generosity which he had afterwards cause to repent, declined to accept it.

There are on record two deeds for lands purchased of the Indians in the year 1683. The first, signed by kings Taminend and Metamequan, conveys their land near Neshaminy Creek and thence to Pennypack. The other is for lands lying between the Schuylkill and Chester rivers.

In one of the purchases made from the Indians it was stipulated that it should extend "as far back as a man could walk in three days." Tradition relates that William Penn himself, with some of his friends and a number of Indian chiefs, "began to walk out this land at the mouth of the Neshaminy, and walked up the Delaware; that in one day and a half they got to a spruce-tree near the mouth of Baker's Creek, when Penn concluding this would include as much land as he would want at present, a line was run and marked from the spruce-tree to Neshaminy, and the remainder left to be walked out when it should be wanted for settlement." It is said they walked leisurely, after the Indian manner, sitting down sometimes to smoke their pipes, to eat biscuit and cheese, and drink a bottle of wine. It is certain they arrived at the spruce-tree in a day and a half, the whole distance rather less than thirty miles. The remainder of the line was not run till the 20th of September, 1733, when the Governor of Pennsylvania employed three of the fastest walkers that could be found, one of whom, Edward Marshall, walked in a day and a half sixty miles. The name of William Penn has by some persons been unjustly coupled with this disgraceful transaction, which did not take place till many years after his death. The Indians felt themselves much aggrieved by this unfair admeasurement of their lands: it was the cause of the first dissatisfaction between them and the people of Pennsylvania; and it is remarkable that the first murder committed by them in the province, seventy-two years after the landing of Penn, was on this very ground which had been taken from them by fraud.

While the colonists of Pennsylvania were enjoying the blessings of civil and religious liberty, they were deeply grieved to hear of the severe persecution inflicted on their brethren in Great Britain. The laws against non-conformity were executed with rigor; the meetings of Friends were broken up by armed troops; and many hundreds of men and women, separated from their families, were confined for years in noisome prisons, or only released by death. As the Duke of York was then supposed to have great influence with his brother, the King, and had always manifested much friendship for William Penn, it was supposed that his return to England and appearance at court might be instrumental in mitigating the sufferings of Friends.

Another reason for his return was a controversy respecting the boundary-line between Pennsylvania and Maryland, which was soon to be brought before "the Lords of the Committee of Trade and Plantations," and it was deemed necessary that Penn should be in attendance to sustain his rights.

These reasons, together with a desire to join his family, from which he had been separated nearly two years, determined him to leave for a while his thriving colony, and he accordingly embarked for England in the Sixth month, 1684. Before his departure he commissioned the provincial Council to act in his stead; and to Thomas Lloyd, its president, he entrusted the keeping of the Great Seal. After a passage of about seven weeks, he landed within seven miles of his own residence, and found his family in the enjoyment of health.

In the winter of 1684–5, King Charles II. died of apoplexy, and his brother, James, Duke of York, succeeded to the throne under the title of James II. He was at first received with favor by the nation, although his profession of the Catholic religion was incompatible with his station as head of the Established Church.

Long before his accession to the throne he had declared to William Penn that he was opposed to persecution on account

of religion; and after attaining to power he professed to hold the same views. On the first day of his reign he made a speech, disclaiming all arbitrary principles in government, and promising protection to the Church of England, which gave general satisfaction, and he soon received congratulatory addresses from all parts of the kingdom.

It does not appear that the Society of Friends offered at that time any congratulations; but, soon after, they waited on him with an address, asking the exercise of his clemency, and showing that upwards of 1,400 members of the Society, of both sexes, were continued prisoners in England and Wales, only for worshipping God according to their sense of duty, and for conscientiously refusing to swear. The liberation of these prisoners did not take place for a year after their case was brought before the King, and it was then done chiefly through the personal influence and intercession of William Penn. As his object in returning to England was to solicit the liberation of his friends and to obtain a favorable settlement of the boundary question, it became necessary for him to appear frequently at court; he therefore took lodgings for himself and family at Kensington.

The zeal manifested by the King in favor of the Roman Catholic Church, the high tone he assumed with regard to the royal prerogative, and the judicial murders perpetrated in his name by Jeffreys and others, were rapidly alienating the affections of the people.

The odium of his proceedings attached to all who were known to enjoy his confidence, and, among others, Penn was accused of favoring the Catholic religion and the arbitrary measures of the court. The old charge of his being bred at St. Omer's, and a Jesuit in disguise, was revived, and, owing to the highly excited state of the public mind, was believed by many. There is, however, abundant evidence to show that Penn, though on intimate terms with the King, opposed his arbitrary measures, and boldly remonstrated against them.*

* See Lawton's Memoir, in Janney's Life of Penn, pp. 301–7. The Memoir

His object in frequenting the court was, to obtain justice for his province in the boundary question; to plead the cause of innocent sufferers of all religious persuasions; to extend the hand of mercy to those who fell under the displeasure of the government; and to advise the King to those measures of clemency and moderation which would have established his throne.

The charges brought against Penn in Macaulay's History of England have no foundation in fact, and have been thoroughly disproved. The limits of this paper not being sufficient for an examination of them, the reader is referred to other works relating to the life and character of Penn.*

The work of J. Paget is the most recent of the vindications of Penn, and being written by a churchman, cannot be suspected of any bias in his favor arising from religious affinity. By reference to its pages, the reader will see that the first charge of Macaulay, relating to the "Maids of Taunton," is utterly without foundation; that the second, Penn's presence at the execution of Cornish and Gaunt, relates to conduct that was prompted by a pure motive, and served a good purpose; he regarded them as innocent sufferers, and bore witness to their constancy; that the third, relating to Kiffin, is founded on a misconstruction of the authority quoted, and an *interpolation;* that the fourth, relating to Magdalen College, rests on a perversion of the testimony and the *suppression* of an important fact; that the fifth, the alleged communication of Penn with James while in Ireland, has no support save a *misquotation* of the authority cited; that the sixth, Penn's alleged falsehood in a supposed interview with William III., is unsupported by testimony, and evidently a fiction; that the seventh and eighth, relating to Penn's alleged share in Pres-

was communicated by Granville Penn to the Hist. Society of Penna., and published in their Memoirs, Vol. iii., Part ii.

* See W. E. Forster's Preface to Clarkson's Life of Penn; W. Hepworth Dixon's Historical Biography of Penn; Janney's Life of Penn, chapter xxii., and Appendix to 4th edition, published by Lippincott & Co., Philada., 1856. An Inquiry into the Evidence relating to the charges brought by Lord Macaulay against William Penn by John Paget, Esq., Barrister-at-Law, London, 1858.

ton's plot and his interview with Sidney, rest upon a perversion of facts, and an *unfair* quotation; and lastly, that his ninth charge, relating to Penn's alleged message to James, exhorting him to invade England with 30,000 men, is absolutely false.*

Those who examine this question impartially, can hardly fail to arrive at the conclusion expressed by a British critic in the Westminster Review: — "Induced," he says, "by the voice of the calumniator to give the character of Penn a searching and uncompromising scrutiny, we rise from the task under the firm conviction that he was one of the best and wisest of men."

On the abdication of James II., and the accession of William and Mary, all the friends or intimates of the exiled monarch fell under public odium, most of them deservedly, but, in the case of Penn, the abuse heaped upon him arose from a misapprehension of his motives and conduct, and from the aspersions of his enemies. On the 10th of December, 1688, he was sent for by the Lords of the Council then sitting. In reply to their questions, he assured them that "he had done nothing but what he could answer for before God and all the princes in the world; that he loved his country and the Protestant religion above his life, and never acted against either; that all he ever aimed at in his public endeavors was no other than what the Prince [William] declared for; that King James was always his friend and his father's friend, and in gratitude he was the King's, and did ever, as far as in him lay, influence him to his true interest." Although nothing appeared against him, he was required to give sureties for his appearance the first day of the next term.

At the next term his case was continued to the Easter term following, when nothing being laid to his charge, he was cleared in open court.

In the year 1690 he was again arrested and brought before the Lords of the Council. His answer, as before, was manly, candid, and wise. He was ordered to give bail to appear at

* J. Paget's Inquiry, pp. 15, 27, 37, 57–9, 79, 87, 94, 101, 102, 109.

the next Trinity term, which he did; and at the time appointed he appeared in court, and was honorably discharged. Soon afterward, his name was included in a proclamation issued for the arrest of eighteen persons supposed to be disaffected to the Government. He was again apprehended, and lodged in prison to await his trial; and when brought before the Court of the King's Bench, there being no evidence against him, he was discharged.

Being now at liberty, he made preparations for a voyage to America; and while thus engaged, he learned that an infamous wretch, named William Fuller, whom the Parliament afterwards declared was "a cheat and a notorious impostor," had, under oath, accused him to the Government, and that a warrant was issued for his apprehension. This vexatious proceeding deranged all his plans; for, to leave England while he was under suspicion and subject to arrest, would be construed by his enemies as evidence of his guilt; and if he surrendered himself for trial, he would probably be exposed to danger from the oaths of a profligate villain, and even an acquittal, as he had frequently experienced, was no security against fresh accusations. In this sad dilemma, feeling like one hunted for his life, he concluded to defer his cherished purpose of returning to Pennsylvania. He allowed the ships to depart without him, and having taken private lodgings in London, he lived in seclusion. If the Government had been desirous for his apprehension, doubtless the officers could readily have found him at his lodgings; but it appears probable that the King and Queen were satisfied of his innocence, and only permitted his name to be inserted for effect, to satisfy popular clamor.

When the Yearly Meeting of Friends assembled in London, Penn wrote them from his retreat a touching and affectionate letter, in which he says: "My privacy is not because men have sworn truly, but falsely against me." During his seclusion of nearly three years, he was frequently visited by his friends, among whom were John Locke and others eminent for their worth. His time was usefully occupied in

study and writing religious works. The dates of these works and of his letters yet extant, prove that the story of his flight to France was a sheer fabrication.

In the autumn of 1692, a commission was granted by the sovereigns, William and Mary, to Benjamin Fletcher, Governor of New York, directing him to take under his jurisdiction the Province of Pennsylvania and the Territories annexed. This step was urged by the enemies of Penn as necessary for the safety of the colony. It was said that the French and Indians threatened the frontier settlements, that no defence had been provided by the Colonial Government, and that the Province and the Territories being at variance, no efficient administration of the laws could be expected.

In the latter part of the year 1693, through the intercession of some noblemen who had long been his friends, the case of William Penn was again brought before King William, who being satisfied of his innocence, signified his wish that he should consider himself entirely at liberty. This pleasing change in his affairs, and the circumstances attending his interview with the Secretary of State, are related in a letter of Penn's to Thomas Lloyd and others in Pennsylvania. His wife, who had tenderly sympathized with him in all his trials, was permitted to see him again restored to liberty; but in the following month she was removed by death. He has left an affectionate tribute to her worth in a touching and beautiful memorial.

By a patent from the King and Queen, dated August, 1694, the government of Pennsylvania was restored to William Penn. He was now earnestly desirous of removing to the Province; but the situation of his domestic affairs, and probably the state of his finances, obliged him to defer it. He appointed Capt. William Markham his Lieutenant-Governor,—Thomas Lloyd, his former deputy, having died a few months previously. From the time Penn was reinstated in his government until his arrival in the Province in 1699, a period of five years, there are few incidents of importance on record concerning the colony, which appears to have enjoyed peace and prosperity.

After Penn's acquittal and restoration to his proprietary rights, there was in the public mind a reaction in his favor, and he rose higher than ever in the estimation of his friends. There is now extant a small volume of his sermons, delivered at different meeting-houses in London about this time, which having been taken in short-hand and published, afford evidence that he had again become an object of public interest.

In the spring of 1696, he again entered the married state. He chose for his second wife, Hannah, the daughter of Thomas Callowhill, and grand-daughter of Dennis Hollister, both respectable merchants of Bristol, and members of the Society of Friends. She proved to be a true help-meet for him, being a woman of superior understanding and great prudence.

On the 9th of September, 1699, he embarked for Pennsylvania, and brought with him certificates from Friends in England, addressed to the meetings of Friends in Pennsylvania, showing that he was in full unity with the meetings of his own Society, and greatly beloved among them.

It was a joyful day to the inhabitants of Pennsylvania when the ship *Canterbury* was announced, bearing to their shores the illustrious founder of the colony; who, after an absence of fifteen years, had come with his family, intending to make it his permanent home. After a tedious voyage of more than three months, the ship arrived at Chester on the 1st of December, 1699, and soon after proceeded on her way to Philadelphia, where the Governor was greeted by the inhabitants with joy and respect.

In the spring or summer of the year 1700, William Penn and his family settled on Pennsbury Manor, a beautiful estate situated in Bucks County, four miles above Bristol, on the river Delaware.

It appears from the Colonial Records that Penn, in the spring of 1700, brought before the Provincial Council a law for regulating the marriages of negroes, which was approved by that body, but lost in the popular branch. It is stated that he mourned over the state of the slaves, but his attempts to

improve their condition by legal enactments were defeated in the House of Assembly. His efforts were more successful in his own religious Society; for, upon his suggestion, the Monthly Meeting of Philadelphia made a minute expressive of the concern they felt for the negroes and Indians; that Friends should be very careful in discharging a good conscience towards them in all respects, but more especially for the good of their souls; and with this view religious meetings should be held among them. It is manifest that the first concern for their slaves, on the part of the Friends in that day, was to promote their spiritual welfare; and as they attended to this, their minds were gradually opened to see that slaveholding is inconsistent with Christianity. It was not, however, until after many years of persevering religious effort that the Society was enabled to free itself from a practice that had, in an unwatchful hour, been permitted to take root.

Penn, at one time, owned a few slaves, but when his eyes were opened to see the evils of the system, he liberated all that were in his possession. This fact is substantiated by a will he made in 1701, which is still extant, and contains this clause: "I give to my blacks their freedom, *as is under my hand already*, and to old Sam 100 acres, to be his children's after he and his wife are dead, forever."

At several meetings of the Governor and Council the subject of the Indian trade was discussed, and it was resolved that a company be formed, "who should take all measures to induce the Indians to a true value and esteem of the Christian religion, by setting before them good examples of probity and candor, both in commerce and behaviour, and that care should be taken to have them duly instructed in the fundamentals of Christianity."

While Penn was earnestly engaged in devising measures to promote the prosperity of his province, he received letters from his friends in England, stating that "strenuous endeavors were used by several united interests, to procure an act of Parliament for annexing to the Crown the several propri-

etary governments; for which purpose a bill was then before the House of Lords, which had been twice read, and though not likely to pass that session, there was no hope of staving it off longer than the next, unless the Proprietary would make his appearance in person, and answer the charges brought against his government by evil-minded persons." His friends in England urged the necessity of his coming with as little delay as possible; the welfare of the Province as well as his own interest seemed to require it, and he reluctantly consented to leave his adopted country to appear once more at his old post near the British Court.

The Indians being informed of his expected departure, waited upon him in large numbers to express their affection and confidence. They said "they never first broke covenant with any people, for they did not make them in their heads but in their hearts."

The constitution having been relinquished by the Assembly, from dissatisfaction with some of its provisions, a new one was prepared, and read to that body, "and every part thereof approved, agreed to, and thankfully received." It was the last one granted to the Province and Territories, and in some respects was even more liberal than those which preceded it. The principal change was in allowing the Assembly to originate bills and to sit on its own adjournments. It made no provision for the election of a Council, which was appointed by the Governor, and prohibited from taking cognizance of any complaint relating to property, unless appeals should be provided by law. In regard to civil and religious liberty, the new Constitution was as comprehensive as the old one. By a supplementary article, the Province and Territories were allowed to dissolve their union at any time within three years by giving due notice.

The Proprietary, by letters-patent, appointed a Council of State, consisting of ten members, mostly Friends, who were to advise and assist him or his deputy, and in case of the deputy's absence or death, to exercise the executive functions.

The ship being ready to sail, Penn convened the inhabi-

tants of Philadelphia on the 29th of October, in order to take leave of them and present them a charter for the city. On the 30th, he appointed Andrew Hamilton, formerly Gov ernor of East and West Jersey, to be his Lieutenant-Gov ernor, and James Logan he made Provincial Secretary and Clerk of the Council.

On Penn's arrival in England, he was successful in warding off the blows aimed at his proprietary interests; but the enormous expenses he had incurred in the planting of his colony and defending its interests, involved him in pecuniary embarrassment, which was greatly enhanced by the treachery of his steward. On the large sums of money that passed through his hands, he charged exorbitant commissions, and on his advances he calculated compound interest every six months at eight per cent., which was one-third more than the law allowed. Although he had received £17,000, and expended £16,000 only, he brought the Proprietary in his debt to the amount of ten thousand five hundred pounds. Penn having confidence in him, accepted his accounts without sufficient examination, and finally, to secure the debt, gave him a lien upon his Province in the form of a deed of conveyance.

After the death of the steward, his heirs brought suit, and Penn being arrested, became a prisoner for debt. He offered, for "peace sake," to pay such a sum as disinterested men might award, but the prosecutors were inexorable, and he continued about nine months within the prison bounds. During his imprisonment his friends exerted themselves for his relief, and the sum of seven thousand six hundred pounds being raised, it was accepted in liquidation of the claim, and he was again set at liberty.

In addition to his pecuniary difficulties, Penn had to suffer from anxiety on account of his Province. His Lieutenant-Governors were frequently injudicious in their measures, and the Colonial Assemblies unreasonable in their complaints; hence dissensions arose between the legislative and executive departments, which impaired the reputation and interests of the colony.

These dissensions were doubtless exaggerated in the reports sent over to England, and increased the embarrassments of the Proprietary. Another cause of anxiety to Penn arose from the proceedings of a British court of Admiralty established in the Province, which endeavored to exact the use of oaths, and otherwise interfered with his government. In his correspondence with his faithful friend and secretary, James Logan, he expresses, in touching terms, his affectionate interest in the colony, and his solicitude for its welfare. At length he came reluctantly to the conclusion, in which Logan and others of his friends concurred, that it would be best for him to sell to the British crown his right of government in the Province, retaining his landed estate in it. His negotiations with the ministry were delayed by his determination to secure religious liberty and political privileges to the people. In the summer of 1712 the terms of the surrender were agreed upon, but he was then taken ill of a fever, and the measure was never consummated.

When he had partially recovered, he went to Bristol, where he had a second attack of a disease which his wife, in her letter to Logan, called "a lethargic illness." It came upon him suddenly while he was writing to Logan, — so suddenly, that his hand was arrested by paralysis in the beginning of a sentence which he never completed.

During six years he lingered an invalid, gradually sinking to the grave. His memory was impaired, his noble intellect was clouded; but the sweetness of his temper remained, and he was favored to retain the highest and best of his endowments, — a sense of spiritual enjoyment, and a heart overflowing with love to God and man. He died the 30th of the Fifth month, 1718, in the 74th year of his age, and was buried at Jordan's, in Buckinghamshire, where his first wife and several of his family had been interred.

In all the transactions of his eventful life, the character of William Penn shines out in clearness and purity. The lapse of one hundred and fifty years has not dimmed its lustre, and even his modern traducer admits that "his name

has thus become, throughout all civilized countries, a synonym for probity and philanthropy." One of the most remarkable traits in the character of Penn was his magnanimity. With a singular disregard for selfish or personal considerations, he devoted his life to the good of mankind. To plead the cause of suffering humanity; to advocate the doctrines of civil and religious liberty; to found a free colony for all mankind; to establish there the most liberal constitution and laws; to obtain by justice and kindness an unexampled influence over the Indian tribes; to recommend measures for improving the moral and social condition of the African race; to point out the means of avoiding the calamities of war, and to exemplify the benign principles of peace: these and similar objects engaged all the powers of his active and vigorous mind. To have aimed at such noble objects, entitles his character to our esteem; to have succeeded so remarkably, demands our gratitude.

"There is," says Bancroft, "nothing in the history of the human race like the confidence which the simple virtues and institutions of William Penn inspired." . . . . "Penn never gave counsel at variance with popular rights." . . . . "England, to-day, confesses his sagacity, and is doing honor to his genius. He came too soon for success, and he was aware of it. After more than a century, the laws which he reproved began gradually to be repealed; and the principle which he developed, sure of immortality, is slowly but firmly asserting its power over the legislation of Great Britain." . . . "Every charge of hypocrisy, of selfishness, of vanity, of dissimulation, of credulous confidence; every form of reproach, from virulent abuse to cold apology; every ill name from Tory and Jesuit to blasphemer and infidel, has been used against Penn; but the candor of his character always triumphed over calumny.

"His name was safely cherished as a household word in the cottages of Wales and Ireland, and among the peasantry of Germany; and not a tenant of a wigwam, from the sea to the Susquehanna, doubted his integrity.

"His fame is now wide as the world; he is one of the few who have gained abiding glory."

## CHAPTER II.

### PROPRIETARY GOVERNMENT, 1684–1693.

THOMAS LLOYD, *President of Council, August*, 1684, *to December*, 1686. — Unable to come to an agreement with Lord Baltimore, respecting the possession of the territory south of the Delaware, and desirous of holding the Bay, and thus securing favorable communication with the ocean, Penn determined to try his cause before the home government, where Lord Baltimore had already submitted it, and was laboring to have the case prejudged. Though attached to his colony, and conscious that his presence in it was constantly needed, he nevertheless decided to return to England. There were other considerations besides this which attracted him thither. It was a period in which dissenters, and especially the sect to which Penn belonged, felt the heavy hand of persecution. He had influence at court, and he longed to plead the cause of his suffering brethren in the royal presence.

He accordingly placed the executive government in the hands of a Council of Five, over whom he appointed Thomas Lloyd, President, to whom he entrusted the keeping of the Great Seal, and on the 12th of August, 1684, sailed for England.

Lloyd had been educated at Oxford, and had held places of trust at home. Attaching himself to the Quakers, he had become skilled in argumentation, and in the defence of their doctrines. Having formed the purpose of settling in the New World, he had embarked with Penn, to whose favor he had commended himself during the voyage, by the steadfastness of his faith, and by his fortitude under the severest trials. Markham, the first proprietary Lieutenant-Governor, was made secretary of the Province and the Territories; Thomas

Holmes, Surveyor General; and Thomas Lloyd, James Claypoole, and Robert Turner, commissioners of the land office.

At the departure of Penn, the country had twenty-two organized townships, containing seven thousand inhabitants, of whom two thousand five hundred were in Philadelphia,—an extraordinary growth for the short period since the grant had been made. After going on shipboard, and before setting sail, Penn addressed a letter to his Council, full of excellent advice, and breathing the spirit of the most fervent piety. "My love and my life," he says, "is to you and with you, and no water can quench it, nor distance wear it out, or bring it to an end." . . . . "Oh, that you would eye Him, in all, through all, and above all the works of your hands, and let it be your first care, how you may glorify God in your undertakings; for to a blessed end are you brought hither." . . . . "And thou, Philadelphia, the virgin settlement of this province, named before thou wert born, what love, what care, what service, and what travail has there been, to bring thee forth, and preserve thee from such as would abuse and defile thee."

The sway of Penn while in the Province was universally respected. He had made the art of government a study. Not so the men whom he left in power. They had been accustomed to be governed, and knew little of the vexations and responsibilities of ruling.

On his departure, the great freedom of private opinion, in the affairs of government, which he had labored to inculcate, began to show itself offensively, and to give trouble in the administration. Nicholas Moore, who was at the head of the Council of Five, in whose hands Penn had left judicial authority, and who was, in effect, Chief-Justice of the Colony, was impeached by the House on the 15th of March, 1685. Ten articles were preferred before the Council. Owing to some informality in the proceedings, he escaped conviction, but not punishment; for he was expelled from the Assembly, and forbidden to hold any office of trust. In the eyes of the Proprietor, Moore was regarded as guiltless of any heinous offence. Other difficulties in the government occurred. Patrick

Robinson, clerk of the court, was voted a public enemy; and John Curtis, a justice of the peace, was charged with the use of treasonable language.

FIVE COMMISSIONERS, 1686–88. — To settle these disorders, the people sought the return of Penn. But other and weightier matters now claimed his attention. Dissatisfied with the action of the Council, or rather its negligence, and to cure certain evils which he had seen arise, Penn determined to relieve it and its president of the executive power, and to lodge it in the hands of five commissioners, any three of whom were to constitute a quorum, whose action in enacting, disannulling, or varying of laws, should have the same force as though the Proprietor was himself present, and governing. Thomas Lloyd, Nicholas Moore, James Claypoole, Robert Turner, and John Eckley, were the first appointed to this commission; but Moore and Claypoole never acted, and their places were filled by Arthur Cook and John Simcock. In their instructions, they were charged to correct the inefficient conduct of the Council, to preserve the dignity of their station, to abrogate all laws except the fundamentals, and call a new Assembly; and finally, they were solemnly admonished "to be most just in the sight of the *all-seeing*, *all-searching* God."

Soon after the consummation of this change, Lloyd, who was weary of the cares and fruitless contentions of a power in which he found himself but a co-ordinate agent, applied to Penn to be relieved. It was not easy to find a man to fill the anomalous position which had been created. The President of the Council was, in a great measure, held responsible for the success and efficiency of the government, while he had no more authority than each of the four with whom he was associated. Though with reluctance, Penn finally determined to gratify the desire of Lloyd, bearing witness in the communication which granted his release to an unfeigned regard and esteem for him. In this letter, which was dated October 27th, 1687, Penn says: "I am sorry that Thomas Lloyd, my friend, covets a quietus, that is young, active, and

ingenious; for from such it is that I expect help, and such will not sow in vain; but since 't is his desire, I do hereby signify his *dismiss* from the trouble he has borne, (for some time of rest and ease, at least,) and do nominate in my name, under the Great Seal, till further orders, Samuel Carpenter, who, I hope, will accept, and industriously serve that station, else Thomas Ellis." The new member was not to take Lloyd's place as president, but to be one of the Council, all possessing equal power, and, by the advice of Penn, each to act as chairman a month in succession, or, if preferred, the senior member to preside steadily.

It is evident from the tenor of Penn's correspondence that he longed to be with his colony, and that he realized the need which existed of his strong hand in the government. In a letter addressed to Lloyd about this time, he says: "No honor, interest or pleasure, in this part of the world, shall be able to check my desire to live and die among you; and though, to my grief, my stay is yet prolonged, on private and public accounts, yet, depend upon it, *Pennsylvania* is my worldly delight, and end of all places on the earth."

CAPTAIN JOHN BLACKWELL, *Deputy Governor, December*, 1688, *to January*, 1690.—Though permission had been given to Lloyd to retire from the Council, and another member had been designated, yet for some reason Lloyd remained until near the close of the year 1688. In the meantime he had recommended to the Proprietor the appointment of one person to the supreme executive power, having had a sad experience with a many-headed executive. Penn was disposed to heed this advice, but he was much perplexed to find a suitable representative. He had tried his friends, chief men of the colony, and they had failed. He accordingly determined to send a stranger, not a Quaker, a man of experience, learning, and ability. To this end he selected and commissioned Captain John Blackwell, who had been a soldier with Cromwell, and was, at the time of his selection, in one of the New England colonies. "Since no *Friend*," says Penn,

"would undertake the Governor's place, I took one that was not, and a stranger, that he might be impartial, and more reverenced. He is, in England and Ireland, of great repute for ability, integrity, and virtue."

The hopes which the Proprietor had cherished from the appointment of Blackwell were not realized; for he had no sooner arrived in the colony and assumed authority, than dissensions began to show themselves. Lloyd refused to deliver up the Great Seal, claiming that it had been delivered to him by the Proprietor for life.

Of his own motion, Blackwell arrested and imprisoned officers high in the service of the State, attempted to establish and organize the militia, under plea of threatened hostilities by France, and questioned the validity of all laws passed previous to the commencement of his administration. The Assembly endeavored to check his arbitrary rule; but he defeated its ends by forming a party in the Assembly, who absented themselves from its sessions, leaving less than a quorum.

THOMAS LLOYD, *President of Council, January*, 1690, *to March*, 1691. — After a little more than a year of this turbulent rule, (from December, 1688, to January, 1690,) Blackwell was relieved, and the executive authority was again committed to the Council, with Thomas Lloyd president. With a most sincere and earnest desire to heal all wounds and compose all differences, Penn proposed three forms of executive power, and left to the decision of the Council which should be adopted, — either the entire Council, five commissioners, or a Deputy Governor, each of which forms had already been tried. The majority favored a Deputy-Governor; but the councilmen from the three Territories, who had viewed the transfer of power from New Castle to Philadelphia with concern, opposed this, favoring the five commissioners, and when they found themselves outnumbered, withdrew from the Council, with the determination of ruling the Territories independent of the Province, until the will of the Proprietor should be known. A deputation from the Council was sent

to New Castle to induce the seceding members to return, but without success.

In a letter addressed to Lloyd, the Proprietor had advised the establishment of a public school. In his comments upon the art of government, which he had promulgated before starting for America, and when he was about to draw up his original form of constitution, he had declared, "That, therefore, which makes a good government must keep it, viz., men of wisdom and virtue; qualities that, because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth; for which after ages will owe more to the care and prudence of founders and the successive magistracy, than to their parents, for their private patrimonies." In compliance with this advice, George Keith, a native of Aberdeen, Scotland, a man of learning and note among the Quakers, who had for several years resided in East New Jersey, where he had served as Surveyor-General, was engaged to open a school in Philadelphia, — the first free school in the Province. His salary was to be fifty pounds per annum, with a house provided for his school and for his family.

THOMAS LLOYD, *Deputy Governor of Province;* WILLIAM MARKHAM, *Deputy Governor of Territories; March*, 1691, *to April*, 1693. — Upon the receipt of intelligence of the withdrawal from the Council of the members representing the Territories, and a due notification of the choice, by the remaining members, of Thomas Lloyd as President, Penn, at all times desirous of gratifying the wishes of his people, and deeply solicitous of making his Province a *real* republic, commissioned Lloyd Deputy Governor of the Province, and William Markham, the former Secretary, who had withdrawn from the Council with the seceding members, Deputy Governor of the Territories.

Though acceding to the wishes of the minority of the Council in granting a separation of the Territories from the Province, Penn, nevertheless, felt himself much aggrieved by the want

of harmony and union among his friends. After recounting, in a letter to a friend, the several changes which he had made in the administration of government, upon the advice and at the suggestion of his people, he exclaims: "What could be tenderer? Now I perceive Thomas Lloyd is chosen by the three Upper, but not the three Lower, Counties, and sits down with his broken choice. This has grieved and wounded me and mine, I fear to the hazard of all. Whatever the morals of the Lower Counties are, it was embraced as a mercy that we got and united them to the Province; and a great charter ties them, and this particular ambition has broken it. . . . . Had they learned what this means, *I will have mercy and not sacrifice*, there had been no breaches nor animosities there till I had come, at least."

The immediate evils which the Proprietor had anticipated from the separation did not arise, for the government was administered with more harmony and efficiency than it had been before since his departure. But, though unexpectedly relieved of difficulty in one direction, there came in another what proved of more injury to the colony than any evil which had hitherto existed. It was a schism in the Church. This, to a religion whose cardinal tenet is peace and good will, was especially vexatious. It was incited by George Keith, who, after having taught in the public school for a year, had entered the ministry. Of quick and acute perceptions, and well instructed in the doctrines of his Church, but with little skill or moderation in the management of affairs, he was disposed to push his logistics to absurd conclusions. He was, moreover, of an irascible and intemperate disposition, heaping abuse upon his opponents in public assemblies and by inflammatory pamphlets. He held that there was too great a slackness in the discipline of the Church; that members thereof could not consistently serve as magistrates in criminal jurisprudence. Upon small provocations, if any, he called his brethren in the ministry, "fools, ignorant heathens, lyers, heretics, rotten ranters, muggletonians." Of Lloyd he declared that "he was not fit to be a governor, and that his

name would stink." A considerable party in the Church followed him, and Keith proclaimed himself at the head of the true Society of Quakers, stigmatizing all others as apostates.

After submitting to the intemperate conduct of Keith until forbearance seemed no longer to be a virtue, a declaration or testimony of denial was drawn up against him at a meeting of the ministers of Philadelphia, which was confirmed at the next general Yearly Meeting. From the force of this decree, which was in effect an act of expulsion, he appealed to the Society in London, where he appeared in person in his own defence; but so wrathful and intemperate did he show himself, that the action of the Philadelphia meeting was confirmed. He subsequently became a bitter enemy of the Quakers, and withdrawing entirely from them, joined the Church of England, and was ordained a clergyman by the Bishop of London. After officiating in England, in America, and again in England, he finally died an unhappy man, declaring on his death-bed, "I wish I had died when I was a Quaker! for then I am sure it would have been well with my soul."

The inquiry naturally arises, while contemplating the troubles which were experienced in the administration of the Government, and in the affairs of the Church, why the Proprietor, whose personal influence in his Colony and in his Church was puissant, withheld his presence. The necessity which kept him in England seems to have been a matter of deep regret to him; but a combination of circumstances beyond his control — apparently interpositions of Providence — barred his return. In a letter to Lloyd of the 14th of April, 1691, he says: "It has been [my absence] 20,000 pounds to my damage in the country, and above 10,000 pounds here, and to the Province 500 families; but the wise God that can do what He pleases, as well as see what is in man's heart, is able to requite all; and I am persuaded that all shall work together for good in this very thing, if we can overlook all that stands in the way of our

views Godward in public matters. See that all be done prudently and humbly, and keep down irreverence and looseness, and cherish industry and sobriety."

The principal causes of his detention may be briefly recited. On the 6th of December, 1684, soon after his return to England, Charles II., from whom Penn had received his original charter, died suddenly of apoplexy. Charles was succeeded by his brother James, Duke of York. James proved to be a bigoted Catholic, though, on ascending the throne, he had made most fair promises of protection to all classes of worshiping Christians. James had been a friend to Penn, and it was through his influence that Pennsylvania had been granted to him. When James came to power, Penn had his ear, and daily visited White Hall. The King's intolerance finally grew to such a pitch, and so many were brought to the scaffold for opinion's sake, that the respect and confidence of the great mass of the English people was lost, and when on the fifth of November, William, the Prince of Orange, who had married a daughter of James, landed upon the English coast, he was received with open arms, and William and Mary were declared King and Queen, James retiring to France. The mere fact of the intimacy of Penn with James brought him under the displeasure of the new reigning party, and he was held to bail to answer charges of complicity with the deposed monarch in his high-handed practices. These vexatious suits, prolonged from term to term of court, though void of proof, would not admit of his honorable departure. At the Michaelmas term of 1690 he was cleared by the King's Bench Court, sitting at Westminster, of the charge of adhering to the kingdom's enemies. Immediately thereafter, he published proposals for a new colony which he designed to lead in person. So numerous was the promise of this colony that a convoy had been granted for it by the Secretary of State; but, before it was ready to depart, fresh charges were brought against Penn, and he was obliged to abandon his project and again prepare for trial and its many delays.

## CHAPTER III.

### UNDER THE CROWN OF ENGLAND, 1693–95.

BENJAMIN FLETCHER. — WILLIAM MARKHAM, *Deputy Governor*, *April*, 1693, *to March*, 1695.—Though enjoying the respect of King William, Penn was, nevertheless, regarded with disfavor by the party in power, and every opportunity was seized by his enemies to defeat his designs. Prevented thus by false accusations from joining his colony, while troubles were fomented among his people during his absence, he was finally brought to the humiliation of seeing his authority in his Province wrested from him and given to another. On the 21st of October, 1692, a commission was issued by William and Mary, to Benjamin Fletcher, Governor of New York, directing him to assume the government of the Province and Territories of Pennsylvania. Fletcher did not receive the commission until some months later, and on the 19th of April, 1693, wrote to Governor Lloyd, that he should commence his journey to Philadelphia on the following Monday, and desiring that notice of his coming should be given to the principal freeholders, when their Majesties' commands would be communicated to them.

Fletcher came dressed in all the pomp and splendor of royalty, attended by a numerous retinue, gorgeously bedecked with feathers and gold lace, to whom the government was surrendered without opposition or remonstrance. The subserviency of Lloyd and Markham, on the occasion, was sharply censured by Penn, who also wrote to Fletcher, "cautioning him to beware of meddling," and reminding him of his "particular obligation to him." Fletcher immediately summoned the Assembly, but in doing so, raised the opposi-

tion of the Council, which began to badger him with remonstrances, alleging that, by the charter of Charles II., Penn was empowered to make laws for the government of the Province, and that under that charter, provision had been made for the meeting of the Assembly on the 10th of January, and protesting against calling it for legislative purposes at any other time. The Assembly, however, met, and the members being duly qualified, Fletcher demanded money to meet expenses which had been incurred in defending Albany against the French and Indians, the French being at this time at war with the English; and Count Frontignac, the governor of Canada, having incited the Indians to join him in hostilities, Fletcher fortified his demand by a letter from Queen Mary, in which she expressed her will and pleasure that all the Colonies, upon the application of the governor of New York, should contribute men and money for the defence of the threatened frontier. The Assembly was careful of its privileges, stubbornly resisting any infringement thereof; but finally passed a rate bill of a penny a pound for the support of government, and a poll-tax of six shillings, which yielded over seven thousand pounds. A number of bills were passed, and laws already in force confirmed, when, the business having been completed, Fletcher appointed William Markham as his Deputy Governor, dissolved the Assembly at their request, and departed to his own Colony. Fletcher occasionally visited the Colony, and again met the Assembly in the following year, when he addressed them with many honeyed words in his message, saying, "that he considered their principles, that they could not carry arms, nor levy money to make war, though for their own defence, yet he hoped they would not refuse to feed the hungry, and clothe the naked; that was, to supply the Indian nations with such necessaries, as may influence their continued friendship to these Provinces."

On the 10th of July, 1694, Thomas Lloyd, after a sickness of a malignant fever of only six days' continuance, died in the fifty-fourth year of his age. He was born in Montgom-

eryshire, North Wales, and being of ancient and respectable family, was in the way of advancement, when he became a Quaker, and attaching himself closely to this sect, came to America with Penn, with the design of making it his home. Though disinclined to politics, he was made a chief councillor, and upon the departure of Penn, became in fact Governor, which position he held, with slight interruptions, until his death. His learning, wisdom, and moderation enabled him to exert a most healthful influence over the infant Colony, and to shape the government to beneficent ends. It was at a period in the history of governments, when popular rights were little known, and the chief danger to be apprehended was from pushing liberty to the license of extravagant acts, unchastened and unrestrained by exalted moral principles and a degree of moderation rarely found in an inexperienced popular assembly. The character of Lloyd was well suited to such an emergency. Void of arbitrary or ambitious views, devoted to the principles of truth and justice in the abstract, he, nevertheless, was so well schooled in the practices of human nature, as to realize that the nearest approach to absolute verity in the conduct of affairs, is attained by an accommodating policy, and that there is danger of losing all by an arbitrary one. In his controversy with Keith, the superiority of his own reasoning and judgment was apparent, and his final triumph was most fortunate for the Colony, and honorable to himself. He died in great peace of mind. In his last hours he said: "Friends, I love you all; I am going from you. I die in unity and love with all faithful friends. I have fought a good fight; I have kept the faith; which stands not in the wisdom of words, but in the power of God; I have fought, not for strife and contention, but for the grace of our Lord Jesus Christ and the simplicity of the gospel;—I lay down my head in peace, and desire you may all do so. Friends, farewell all."

## CHAPTER IV.

### WILLIAM PENN, PROPRIETOR, 1695–1718.

WILLIAM MARKHAM, *Deputy Governor*, *March*, 1695, *to December*, 1699. — Lords Rochester, Ranelagh, and Sidney, countenanced and assisted by Lord Somers, the Duke of Buckingham, and Sir John Trenchard, in an interview which was granted them for the purpose, sought of King William an acquittal of the false charges which had been brought against Penn, and a restoration of his Province, showing most conclusively his innocence of any criminal action or design, or even desire, inimical to his Majesty's government, at the same time pointing to the great injury and loss which he had sustained in being prevented from leaving the country to administer the affairs of his Colony. The King frankly told them in reply that Penn was his old acquaintance, and that he should consider himself discharged from all accusations, and at liberty to pursue his inoffensive way of life. Whereupon Penn, by invitation, visited the Secretary, and received formal assurance of his freedom, and on the 20th of August, 1694, the government of his Province was restored to him by royal commission.

In the preamble to this patent the ostensible reasons for depriving Penn of power and intrusting it to Governor Fletcher are thus set forth: "Upon information that, by reason of great miscarriages in the government of our Province of *Pennsylvania* in America, and the absence of the Proprietor, the same was fallen into disorder and confusion, by means whereof, not only the public peace and administration of justice was broken and violated, but there was also great want of provision for the guard and defense

of our said Province against our enemies, whereby it was apprehended that our said Province and the adjacent Colonies were much in danger of being lost from the crown of England, &c." It is probable that these were the reasons set forth by the enemies of Penn, and were the ones upon which the royal action was taken; but, as was afterwards conclusively shown to the King, they were groundless. Hostility to all friends of the deposed monarch, and a determination to compel the Province to contribute for the common defense of all the American colonies, which was despaired of under Quaker rule, were, in reality, probably among the most potent of these causes.

Penn commissioned Markham on the 24th of September, 1694, as his Deputy Governor, who, on the 20th of the following April, met the Council, and, on the 10th of September, the Assembly. In calling the Assembly, Markham disregarded the organic law, assuming that the suspension of the Proprietor had annulled it, and that he was invested with supreme power until a new constitution was framed. The Assembly quietly acquiesced in this view, as there were some provisions in the old instrument which they were clamorous to have changed. Accordingly, when the money bill came to be acted on, a new bill of settlement or constitution was attached to it, and passed. This was approved by the Governor, and was immediately put in operation, being the third frame of government adopted, which continued in force until 1701. By this instrument the Council was made to consist of twelve members, two from each county, and the Assembly of twenty-four in like manner apportioned.

While hostilities between France and England lasted, the French had many privateers upon the ocean. After peace was concluded, some of the privateersmen paid no heed to its conditions, but continued their forcible seizures, which now was piracy. Taking advantage of the pacific policy of the Quaker Province, they were accustomed to run into the Delaware for safe harbor. To break up this dangerous and most dishonorable practice, the Governor and Council issued a

proclamation, calling upon the magistrates and all good citizens to join in preventing it. It was charged by the enemies of the Proprietor that evil-disposed persons in the Colony were privy to these practices, and that the inability of the Province to prevent them was a proof of the impotence of a government which eschewed force. Penn felt keenly this reproach, and urged the exercise of constant vigilance for its removal.

WILLIAM PENN, *Proprietor and Governor, December*, 1699, *to November*, 1701. — In July, 1699, Penn, with his family, set sail for America, and, after a wearisome voyage of three months, arrived in the Colony. He had now come with the design of making it his final abiding place. To settle a stable government which should exert a benignant influence over his people; to renew pledges of friendship and ever-during peace with the Indians; to secure marital and civil rights to negro slaves, and to provide for their spiritual teaching; and to secure for his beloved city of Philadelphia a liberal and just charter, — were the first objects of his care and solicitude. For eighteen months the new constitution was under consideration, and the subject of long debate in the Assembly. It was finally adopted on the 28th of October, 1701. By a supplementary article, evidently wrung from him with great reluctance, it was provided that the Province and the Territories might, at any time within three years, dissolve their union. This privilege was granted as the only method of pacifying a long and uncompromising controversy.

ANDREW HAMILTON, *Deputy Governor, November*, 1701, *to April*, 1703. — In the midst of his arduous labors, sincerely devoted to the good of his Colony, Penn received intelligence that a bill was before the British House of Lords for changing the proprietaryship to royal governors, and a message from his friends urging his immediate return to defend his rights. Though fatal to his fondly cherished purpose of spending the remainder of his days with his

Colony, he determined to go, and urging the Assembly to the dispatch of business, finally completed the charter and other affairs of importance, called together the Indians, with whom he had lived on the most intimate terms, feasting in their wigwams, and often entertaining their chiefs at his mansion, to bid them a final farewell; and having selected Andrew Hamilton to be his Deputy Governor, and James Logan Provincial Secretary and Clerk of the Council, he took his departure on the 1st of November, 1701. Hamilton had been one of the proprietors of East Jersey, and Governor of East and West Jersey. Logan had accompanied Penn to the Province in this last visit, and seems to have enjoyed his unlimited trust.

Through the interposition of the friends of Penn, the House of Lords was prevailed on to postpone action upon the question of appointing royal governors, and soon afterwards, on the 18th of May, King William died. He was succeeded by Princess Anne of Denmark, and Penn soon became fixed in the royal favor, taking up his residence at Kensington, that he might be near to Court. The danger of losing the immediate control of his Colony was now past; but there was still a strong party in Parliament opposed to the liberal government which he was striving to found. The party of the Established Church showed itself particularly inimical, alleging that in time of war a Province under Quaker rule would invite invasion and conquest, and would furnish a retreat for privateers; that the solemnity of an oath should be required in civil and criminal jurisprudence uniformly throughout all her Majesty's dominions. These views were urged, and so far prevailed as to induce the Parliament to pass an Act requiring that the appointment of deputy governors should have the royal assent. Factious opposition was made to the confirmation of Governor Hamilton, it being alleged that he had been engaged in illicit trade. The validity of his acts until confirmed was also questioned. Thus was a most harassing system of opposition to the Proprietor's government kept up, every fault being exaggerated, and many mere

reports and rumors, void of any foundation in truth, being magnified before the eyes of the Queen. The appointment of Hamilton finally received the royal confirmation; but so persistent was the opposition to the interests of the Proprietor, that he was obliged either to keep an agent, or remain himself near the court, to answer the hurtful charges constantly brought against his Province and his rule.

In the October session of the Assembly, the representatives of the Territories refused to meet those of the Province, claiming the privilege of separation by the supplementary article of the new charter, and expressing their firm determination to remain apart. Hamilton strongly urged the advantages of union, and brought every influence that he could devise to bear, in order to secure this result; but without effect. He also made preparations for the defence of the Colony, by organizing a military force, of which George Lowther, subsequently attorney-general, was the first captain. On the 20th of April, 1703, Governor Hamilton died suddenly while on a visit to Amboy, where his family were then residing.

EDWARD SHIPPEN, *President of Council; April*, 1703, *to February*, 1704. — By the death of Hamilton, the exercise of executive power devolved upon the Council, of which Edward Shippen was president. To the Assembly of 1703, the people, approving the action of the Lower Counties, elected double the number of representatives, as required by charter, provided the privilege of separation was claimed; but little was accomplished, the Council interposing objections to the order of business, alleging that the new charter conferred no power upon it to join in the enactment of laws. In this assembly it was finally settled that the Province and the Territories should ever after act separately in a legislative capacity. This separation proved final, the two bodies never again meeting in common.

JOHN EVANS, *Deputy Governor, February*, 1704, *to Feb.*

*ruary*, 1709.—The choice of a Deputy Governor, to succeed Hamilton, fell upon John Evans, of Welsh origin, only twenty-six * years of age, of good natural abilities, but volatile. He was not a Quaker, nor even a man of exemplary morals. He was doubtless selected out of deference to the views of the party at Court, who believed that a stable and efficient government could not be administered upon the peace principles of the Quakers. Indeed, Governor Fletcher had declared in 1693, in one of his communications to the Assembly: "The constitution of their Majesties' government, and that of Mr. Penn, are in direct opposition, one to the other." Evans arrived in the Colony in February, 1704, and with him came William Penn, Jr., the second and only surviving son of William Penn by his first marriage. Evans was expected and had indeed promised to be much influenced and guided by the advice of Logan, in whom the Proprietor continued to place entire confidence. The number of the Council was by him increased, and the son of the Proprietor selected as one of the new members.

The first care of the young Governor in a public capacity was to endeavor to secure the union of the Territories and the Province in the Assembly. Such arguments were presented to the representatives of the Territories, that they seemed willing to return; but the representatives of the Province were now unwilling to receive them back; and further attempts to bring about a reunion were abandoned. This separation finally resulted in the erection of the Territories into the State of Delaware. The obstinacy of the Provincial Assembly in opposing this reunion was the beginning of discords between it and the party that adhered to the Governor, which continued throughout the entire period of his rule. A bill confirming the late provincial charter, granted by Penn, was passed by the Assembly, which contained provisions that the Governor believed unwarrantable, and from which he accordingly withheld his sanction. Whereupon the

* Watson, in his Annals of Philadelphia, says twenty-one; but Gordon, in his History of Pennsylvania, twenty-six.

Assembly appointed a committee to draw up an address to the Proprietor, asking a redress of grievances, the address to be based upon certain resolutions passed by the Assembly. It was drawn by Joseph Wilcox; but instead of being governed by the temperate resolutions of the Assembly, he launched out into a torrent of abuse of the Governor, and even of the Proprietor. This paper was not approved by the other members of the committee, to only four of whom was it shown. It was signed by David Lloyd, Speaker of the House, who headed the party in opposition to the Governor and Secretary Logan. Logan and Lloyd were the real heads of the two opposing factions, both men of ability and learning; the one a fast friend and representative of the Proprietor, both in his public and private interests; the other the champion of the popular party.

The Assembly of 1705 was largely composed of the same elements as the preceding one, of which Lloyd was again elected Speaker. The quarrels of the former session were perpetuated, and the Governor, despairing of any useful legislation, dismissed it. The people finally became alarmed by the fruitless proceedings of these two sessions, and elected to the next House a majority of members friendly to the Proprietor, only eleven of the former House being returned. Joseph Growden was elected Speaker, and the business of the session was transacted with eminent success and dispatch.

Evans had little respect for the religious principles of the Quakers. Disregarding their convictions, he, for the first time in the history of the Province, made a call for militia by public proclamation. The defence of the Colonies against the invasion of the French and Indians, who had assumed an attitude of hostility, had borne heavily upon those Colonies most exposed. Little assistance had ever been rendered by Pennsylvania. This call for militia was made by Evans in good faith, with the desire of rendering such aid in the common defence as was rightfully claimed and expected by the other Colonies. But the call met no response; and the Governor, disappointed by this lack of spirit, and embittered by

his previous quarrels with the Assembly, formed a most discreditable plan for testing the steadfastness of the Quaker faith.

On the day of the annual fair at Philadelphia, Evans, by previous agreement with accomplices at New Castle, arranged to have a messenger dispatched with great haste and appearance of consternation to the Governor, bearing intelligence that a French fleet had arrived in the Delaware, and was laying waste the territory, and would soon arrive before the city. This intelligence was instantly published, and the Governor, mounting his horse, rode through the streets with a drawn sword, commanding and entreating the people to rush to arms, regardless of sect, party, or religious opinion, and hasten to the public defence. The wildest consternation prevailed. The shipping and small boats were run up the river, and into the small creeks, the large craft being carried above Burlington. Plate and valuables were thrown into wells; many hid themselves in trepidation; others betook themselves to the forests; and several women were said to have been untimely delivered of children, through fear. Before nightfall, however, the ruse was discovered, and the authors of the cruel farce were glad to seek safety in flight.

This contemptible experiment was entirely futile in securing the result which the Governor sought. It was the day on which the Quakers held their Weekly Meeting; and regardless of the tumult and the consternation which prevailed, they met as though nothing unusual was occurring, and engaged in their appointed devotions.

By this despicable conduct, the Governor drew upon himself the contempt of all right-thinking men. Besides, many of his official acts were unjustifiable, or little calculated to secure the confidence of his people. He had caused the erection of a fort at New Castle, before which all shipping ascending the river was brought to, and tribute demanded,—a practice unauthorized by charter, and vexatious to commerce. It was only by the stern resistance of prominent citizens that this unlawful procedure was broken up. A

bitter quarrel sprang up between the Governor and Lloyd, Speaker of the Assembly, because the latter, in a personal conference, refused to stand when addressing the Governor. Charges and counter-charges were also brought against Lloyd and Logan, as the leaders of the two parties; and thus, in acrimonious and fruitless contentions, his administration was passed. He was relieved in February, 1709. Possessed of a good degree of learning and refinement, and accustomed to the gay society of the British metropolis, he found in the grave and serious habits of Friends a type of life and character which he failed to comprehend, and with which he could, consequently, have little sympathy. How widely he mistook the Quaker character is seen in the result of his wild and hair-brained experiment to test their faith. His general tenor of life seems to have been of a piece with this. Watson says: "The Indians at Conestoga complained of him, when there, as misbehaving himself to their women;" and that, in 1702, "Solomon Cresson, going his round at night, entered a tavern to suppress a riotous assembly, and found there John Evans, Esq., the Governor, who fell to beating Cresson."

COLONEL CHARLES GOOKIN, *Deputy Governor, February*, 1709, *to May*, 1717. — When it became evident to the Proprietor that he would be obliged to recall Governor Evans, the old difficulty of finding a suitable person for a successor was experienced. He had thought of proposing his son, who was already in America; but from this he was dissuaded by his friends, on account of his son's youth and inexperience. Colonel Charles Gookin was finally selected, because of his grave and thoughtful demeanor, and his supposed wisdom and moderation, and his appointment received the royal assent. But it finally appeared, by his own testimony before the Council, in defence of certain charges brought against him near the close of his term of office, that he had been subject to fits of derangement. This was, however, unknown at the time of his selection, and remained a secret, except so far as his own erratic conduct throughout his administration disclosed it.

The giddy conduct of Evans had brought reproach upon the Government, both at home and abroad, and his successor shared the opprobrium of his devious course, his quarrels being in a measure entailed upon Gookin, who had no sooner arrived in the Colony than charges were preferred against the late Governor of high crimes and misdemeanors, and Gookin was asked to institute criminal proceedings against him. This he prudently declined, but a fierce contention over the subject arose between the Council, which was charged with being accessory to the misdeeds of Evans, and the Assembly, which was clamorous for the prosecution. Finding the Governor little inclined to give heed to its demands, the Assembly was stimulated to new endeavors to find causes of complaint against him. He had been guilty, as they alleged, of a breach of official etiquette by visiting New Castle during the sitting of the Assembly; of assuming to grant marriage licenses and pardons; of discontinuing prosecutions; of appointing one person to several offices; and the like petty offences.

Early in his administration the Colony was called on for men and money to aid in an expedition against Canada. At the instance of the Governor, instead of men, an equivalent of money was agreed to, and the Assembly was solicited to appropriate four thousand pounds. But this body, which had ever displayed an ingenuity most fruitful in framing excuses for voting away the people's money, drew a bill for barely five hundred pounds, and even hedged that about with impracticable provisos. And now commenced anew a series of most vexatious counter-charges and prosecutions between Lloyd and Logan. In the midst of these, Logan, after having demanded and failed to obtain a trial, returned to England, where he laid before the Proprietor a full account of the changes and growth in the Colony since his departure, and drew a most affecting picture of the troubles and contentions by which the Government had been rent and the entire Province filled with discord. The Proprietor was greatly moved by this recital, and wrote a long letter to his people,

commencing in the following strain: "It is a mournful consideration, and the cause of deep affliction to me, that I am forced, by the oppressions and disappointments which have fallen to my share in this life, to speak to the people of that Province in a language I once hoped I should never have occasion to use. But the many troubles and oppositions that I have met with from thence, oblige me, in plainness and freedom, to expostulate with you concerning the causes of them." In a kindly but most earnest tone, he endeavored to reconcile their differences, and, with the voice of paternal tenderness, to recall them to a sense of duty. Finally, that they might be prepared for a change in their relations to him, should he be compelled to adopt it, he tells them, that if, after a fair election, a plurality of the Assembly persist in their opposition to his government, he would then, without further suspense, know what he had to rely upon.

But before this letter was received, an election was held, at which not one of the members of the former Assembly was returned, the people having become thoroughly disgusted with the dissensions which had prevailed. The weight of the Proprietor's expostulations, when his letter was received, was also felt, and, at the succeeding session, the utmost harmony was preserved, the course of legislation being uninterrupted, and directed to questions of vital interest to the Province. A subject was brought before the Assembly at this session which marks the initiation of a policy that, steadily growing in importance, has since rocked the nation of which the Colony came to form a part, from centre to circumference, and was near rending it in twain. This was the question of African slavery. An Act was passed staying the further course of the nefarious traffic in negroes; but this most humane and wise enactment was annulled by the Crown, the importation of these unfortunate people being regarded by the home government with much favor as a source of revenue and prosperity to the Colonies.

In 1712, Penn, borne down by the weight of years and increasing cares, his Colony a source of little profit to him, and

himself embarrassed with debts incurred in its interest, finally determined to transfer it to the crown in consideration of twelve thousand pounds. But before the legal papers were executed, he was stricken with paralysis, by which he was reduced to the feebleness of infancy, and the transfer was suspended.

Until the session of 1714, uninterrupted harmony had prevailed between the Assembly and Governor, though the salary of the latter had frequently been left in arrears, half the pittance allowed him being often unpaid at the close of the fiscal year. It appears by the Logan MSS., as quoted by Gordon, that Gookin was a bachelor, and was selected because he would be a *cheap governor*. The 15th of February, the day for the convening of the Assembly, was stormy, and a quorum failed to assemble. When, on the following day, an organization was effected, and a committee was sent to wait on the Governor, embittered by their former neglect, he refused to recognize them, their best endeavors failing to soften his temper. The committee appointed to remonstrate with him was driven from his door with threats and reproaches, and the Assembly was obliged to adjourn without attending to any business.

The breach thus opened was widened from year to year, until 1717, when, upon the petition of the Council, Gookin was removed. His conduct had become more and more unreasonable, until, towards the close of his term, he had turned upon his most faithful friends, and demeaned himself in an extravagant manner, the effect no doubt of his lack of entire soundness of mind. He is said to have been much under the influence of his brother-in-law, Birmingham, for whom a township in Bucks County was named. He once removed all the justices of New Castle County for doing their duty in an action against Birmingham, leaving the county without a magistrate for six weeks. At another time, when the judges of the Supreme Court at New Castle would not admit a certain commission of his to be published in court, he sent for one of the judges and kicked him.



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SIR WILLIAM KEITH, *Deputy Governor, May, 1717, to July, 1726.*—Gookin was succeeded by Sir William Keith, of the north of Scotland, and before his appointment as Governor, had held the office of surveyor of customs for the southern Provinces, at a salary of five hundred pounds. He had occasionally visited Philadelphia, and was familiar with the political opinions prevailing in the Province. He had formed the acquaintance and secured the confidence of Logan, and other of the leading citizens, and had previously done the Proprietor signal service in London. He arrived in the Province in May, 1717, and was received with much pomp and ceremony. It being harvest time, out of kind consideration for the interests of the country members, he delayed calling the Assembly until it was over, the 19th of August. In his inaugural address he assigned this as the reason of the delay. The Assembly in their reply acknowledged this courtesy, but took immediate occasion to ask a further favor in these words: "As the Governor was pleased to defer calling us, for the sake of harvest, so we crave leave to observe to him, that seed-time being just at hand, it will be a great inconveniency to many of the members to stay long at this season." The disposition manifested in this, his first official act, was characteristic of his entire administration, and was in striking contrast with that of several of his predecessors. Evans and Gookin had made themselves especially odious to the people by their interminable quarrels, and the office of Governor had come to be regarded as necessarily in antagonism to their interests. Keith, by his affable deportment and thoughtful deference to their wishes, and by espousing the cause of the people on several occasions in opposition to that of the Proprietor, completely disarmed them of hostility to the office, and made them his earnest advocates. For his good will he was rewarded with ample salaries, for want of which his predecessors had often languished.

## CHAPTER V.

### HANNAH PENN, EXECUTRIX FOR PROPRIETORS, 1718–27.

SIR WILLIAM KEITH, *Deputy Governor, July*, 1718, *to July*, 1726.—On the 30th of July, 1718, William Penn died, at the age of seventy-four. Six years before he had been prostrated by disease and never after recovered his physical vitality, though his mind was for the most part active. By his will, which he executed in 1712, he gave to his son William, the only surviving son by his first marriage, all his estates in England, amounting to twelve hundred pounds annually. To his wife Hannah, whom he made his sole executrix, for the equal benefit of herself and her five children, all his personal estate in Pennsylvania and elsewhere was devised, after paying all debts, and apportioning ten thousand acres of land in the Province to each of the three children of his son William, and to his daughter Letitia by the first marriage.

Upon the death of Penn, Keith was in doubt about his right to longer execute the duties of his office. He accordingly laid the matter before his Council and the Assembly, by both of which it was determined, that the Act of June 11th, 1711, for the further securing the administration of the Government, provided that the incumbent should hold his office until his successor was appointed. William Penn, Jr., renewed the commission of Keith, and gave him a letter of instructions, as from the actual proprietor; but believing that by the terms of the will, the son William was not heir to the Province, Keith referred the subject to the Lords of Trade and Plantations, and the then Lord-Regent, by whom his continuance in office was confirmed. This action of Keith

gave offence to the Penn family, they believing that the proprietary rights were fully inherited. Soon afterwards the son William issued a commission to Logan as Secretary of the Province.

Doubts existing as to the force of the Proprietor's devise, a suit in chancery was instituted to determine it, which remained for several years undecided. In March, 1720, William Penn, Jr., died, and before a decision of the case was had, his son Springett died also. In the meantime, Hannah Penn, the sole executrix, assumed the management of colonial affairs, executing this difficult task with rare tact and business capacity. "She became," says Watson, "in effect our governor, ruling us by her deputies, or lieutenant governors, during all the term of her children's minority." The case was finally decided in 1727, to the effect that upon the death of William Penn, Jr., and his son Springett, the proprietary rights devolved upon John, Thomas, and Richard Penn, the surviving sons of William Penn, Sen., by the second marriage, Dennis the fourth son having in the meantime died; and that the Proprietor's agreement to sell the Province to the Crown for twelve thousand pounds, made in 1712, and on which one thousand pounds had been paid at the confirmation of the sale, was void.

Though general prosperity prevailed in the Province, and abundant crops rewarded the hand of the diligent, there was little money in circulation, so that citizens found it almost impossible to pay for their lands, or even the taxes thereon, the prices of produce, on account of its great abundance, being next to nothing. To remedy this evil, inspectors of flour, fish, and other products were appointed, who, by the careful and discriminating discharge of their duties, caused the Pennsylvania brands of these articles to become well established and popular, and to command the first prices and ready sale in the West Indies, whither most of the surplus produce was exported. An emission of paper money, hedged about with suitable securities and safeguards, was provided for, which served to stimulate industry and greatly in-

crease the general prosperity. Through the insinuating and skilful management of the Governor, the Assembly was induced to pass two Acts against which it had previously manifested the most unyielding hostility: one to provide for the establishment of a court of equity, with himself as Chancellor, and another for the formation of militia organizations.

During the early part of Keith's administration, a difficulty had arisen between the Indians upon the Susquehanna, and upon the Shenandoah, respecting the limits of their hunting-grounds. Hostilities between them seemed imminent. To settle these difficulties amicably was earnestly sought by the Governor. He accordingly visited the Governor of Virginia, and interested him in restraining the Indians living south of the Potomac from crossing to the north of that stream in pursuit of their game. He then invited the chiefs of the Five Nations to meet him in conference at Conestoga, a place about seventy miles west of Philadelphia, whither he went on the 6th of July, 1721, attended by a numerous cavalcade. Representatives of the Five Nations, with their chief men, were present. With many tokens of solemnity and sincere friendship, certified by the laying down of belts of wampum and bundles of skins and furs, the native orator excused the irregularities of their young men, which he attributed to the use of strong spirits, that takes away their sense of memory, of which they knew nothing before the arrival of the white man among them, and he concludes by saying, "That a chain may contract rust with lying, and become weaker; wherefore, he desires it may now be so well cleaned, as to remain brighter and stronger than ever it was before. [Presents another parcel of skins.] That, as in the firmament all clouds and darkness are removed from the place of the sun, so they desire that all misunderstandings may be fully done away." The Governor made answer to these short but graceful sentences, abounding in the native eloquence with which the speeches of these men of the forest were ever characterized, by a long and elaborate address, in which he answered the chief points made by the Indian; but so completely loaded

down were his sentences with verbiage, that it is doubtful if the native counsellors understood or remembered much that he said. At the close he presented them with a coronation medal of the king in gold, and two days after a quantity of gay coats, powder, lead, biscuit, pipes and tobacco, which were doubtless better comprehended and appreciated than his speech, and the conference broke up with every evidence of satisfaction and pacific intention. The Governor, upon his return, was met at the passage of the Schuylkill by the city fathers, and over two hundred of the principal citizens, who conducted him through the streets after the manner of a hero returning from conquest.

Not long after this, an Indian was killed near Conestoga in a drunken quarrel with two brothers named Cartlidge. The murder was aggravated by acts of cruelty. Keith took prompt measures for the apprehension of the murderers, sent messengers to the chiefs of the Five Nations to assure them of his disapproval of the wicked deed, and finally himself made a journey to Albany, accompanied by Hill, Norris, and Hamilton of his Council, whither he had been invited by the Indians for a conference of the Governors of all the Colonies, when, after considering the subject of the murder, the grand sachem made this noble and magnanimous answer: "The great king of the Five Nations is sorry for the death of the Indian that was killed, for he was of his own flesh and blood; he believes the Governor is also sorry; but now that it is done there is no help for it, and he desires that Cartlidge [the murderer] may not be put to death, nor that he should be spared for a time and afterwards executed; one life is enough to be lost; there should not two die. The king's heart is good to the Governor and all the English."

In all his official acts, Keith stood on the side of the people as represented by the Assembly, in opposition to the Council and the Secretary, who were considered as representing the Proprietor. It had long been the custom for the Governor to discuss bills which had been passed by the Assembly, section by section, and approve or reject them by the major

voice. By the terms of the charter, Keith discovered that the Council had really only an advisory power, and as they had often delayed and defeated bills of importance by their opposition, he determined to act independently of them. This was strenuously resisted by the Council, and by Logan the Secretary, and was the beginning of a bitter controversy. Finally, in 1722, the Governor having discovered that Logan, as he alleges, had entered upon the minutes of the Council a statement which had not been formally approved, removed him from office, and appointed another in his place; whereupon Logan repaired to London, and laid his grievances before Hannah Penn, now the acting Proprietor. Logan had long enjoyed the confidence of the Proprietor, and that confidence could not now be shaken by the trivial representations of the Governor. She immediately wrote to Keith, sharply reproving him for displacing the Secretary without consulting her, or even his Council, which was enjoined in the charter, and directing him to reinstate Logan in his old position. This Keith refused to do, justifying his conduct, and claiming for himself absolute power in disposing of this matter. This opposition to the will of the Proprietor cost him his place, he being superseded in July, 1726.

Keith may be considered as one of the most successful of the Proprietary Governors, and though charged with craft and subserviency to gain his ends, and command popular favor, which were doubtless founded in truth, yet it appears that he used the power and influence which he thus acquired for the public good, and that the growth and prosperity of the Colony during his administration were unsurpassed nor even equalled by any other American Colony. Though not a Quaker, he secured to that sect privileges which had previously been sought in vain, they being allowed to wear their hats in court, and to give testimony under affirmation instead of oath. So far had he won the popular favor, that he was immediately elected to the Assembly, after surrendering the gubernatorial power, and took his seat in that body; but in his wish to be elected speaker he was foiled, the methods he

adopted to secure this result serving to alienate even his friends. Watson, in his reference to this event, says: "Afterwards, when he [David Lloyd] exerted himself to thwart the ambitious designs of Sir William Keith, whom he wished to supplant as a dangerous political rival, he readily succeeded. In this, such was his management and success, that, although Sir William aimed for the Speaker's chair, and had his support out-doors in a cavalcade of eighty mounted horsemen, and the resounding of many guns fired, David Lloyd got every vote in the Assembly but three." For a year or two after the close of his administration he manifested a most unjustifiable and malicious spirit, creating dissensions in the administration of his successor. But his power and influence rapidly waned. In 1738 he published a history of the Colony of Virginia, with the intention of writing the histories of all the other Colonies; but doubtless abandoned it for want of sufficient encouragement. He died in London in 1749, in poverty. "It may be very little known," says Watson, "that he, who moved with so much excitement and cabal as our Governor in 1726, should at last fall into such neglect, as to leave his widow among us unnoticed and almost forgotten! She lived and died in a small wooden house in Third Street, between High and Mulberry. There, much pinched for subsistence, she eked out her existence with an old female, declining all intercourse with society or with her neighbors. The house itself was burnt in 1786."

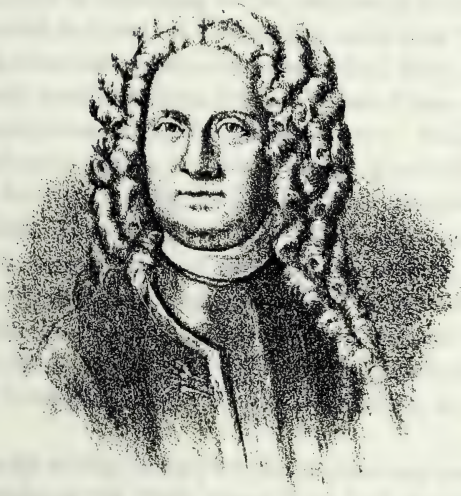
## CHAPTER VI.

### JOHN, RICHARD, AND THOMAS PENN, PROPRIETORS, 1727–46.

PATRICK GORDON, *Deputy Governor, July*, 1726, *to August*, 1736. — Patrick Gordon, who had served in the regular army, and who was recommended by Springett Penn for royal confirmation, was appointed to succeed Keith. He arrived in the Province with his family in the summer of 1726, and met the Assembly in August. In his first address, he alluded to the fact of his having been a soldier, that he consequently knew nothing of the crooked ways of professed politicians, and must rely upon a blunt, straightforward course in his communications with them and in his administration of the government. He did not dissemble in making this declaration, for his public career seems to have been characterized by frankness and integrity.

During the first two or three years of his government, his predecessor in office succeeded in fomenting difficulties in the Assembly, of which he was a member, and in the Province; but his utterances were so extravagant, and his plans for personal aggrandizement were so injudicious, that his influence over the party which he had at first led was soon lost, and the discreet and wise policy of Governor Gordon bore down all opposition. George I. died in June, 1727, and was succeeded by his son, George II. At the meeting of the Assembly in October following, a congratulatory address was framed and presented to the new king upon his peaceful and happy accession to the throne.

In 1728, several disturbances occurred among the Indians, chiefly incited by strong drink, which were participated in by worthless bands who had strayed away from the tribes to



D. Gordon

which they belonged. In these affrays several were killed and wounded. The Governor took prompt measures to apprehend and punish the offenders, and succeeded in averting hostilities. A treaty was concluded with the Five Nations which was ratified with presents in the usual formal manner. At a council held at Philadelphia, on the 26th of May, for the purpose of renewing treaties with the several Indian tribes there represented, Captain Civility spoke in behalf of the chieftains, and in referring to the Governor's address, previously delivered to them at Conestoga, said that "the Governor's words were all right and good; that they never had any such speech made to them since William Penn was here."

These conferences with the Indians were frequent, and were attended with much expense, being generally coupled with treaties for the transfer of land. The Assembly, at its meeting in 1729, drew a distinction between the expense of treaties for the preservation of peace in the Colony, and those for the acquisition of territory, claiming that the latter should be borne by the Proprietors, thus dividing the burden of the "frequent visits of the chiefs and their followers, to polish the chain of friendship with English blankets, broadcloths, and metals."

The prosperity of the Colony at this period was remarkable. Though not planted till 1680, more than half a century after the settlements of the other Colonies on the coast, it had the finest capital city in all British America, and the second in size, and a greater white population than Virginia, Maryland, and both the Carolinas. The causes of this prosperity were the peaceful policy adopted towards the savages, the security of life and property guaranteed by its beneficent code of laws, free toleration of religious sentiment, and the equality of all men before the law, making them eligible to office, and competent to give testimony in court, not excluding even the Indian or the negro.

The entire amount of paper money which had been issued to the beginning of 1730, was seventy-five thousand pounds. Rumors being current of mismanagement in the loan office,

Governor Gordon instituted an inquiry into the affairs of the treasurer, William Fishbourne, when it was discovered that he was a defaulter to the amount of eighteen hundred pounds. This was secured by the estate of the treasurer; but he was punished by being removed, and forever disqualified from holding office.

In 1732, it was discovered that the French from Canada were building and establishing trading-posts within the territory of Pennsylvania, on the Allegheny and Ohio rivers, and that representatives of the Indians dwelling upon these rivers had been invited to a conference with the French at Montreal. To counteract this influence, the Shawanese upon the Allegheny were summoned to Philadelphia, and at a council there held, they were urged to remove farther east. This they declined to do, but asserted that the French had not manifested an unfriendly spirit towards the English. A treaty was soon afterwards made with the Six Nations, in which the Indians promised continued friendship for the English, and resistance to the encroachments of the French.

By the death of Hannah Penn, in 1733, and the previous decease of Springett Penn, the Assembly decided that the power of Governor Gordon was at an end, and refused to act upon a message which he had communicated. But shortly afterward, the Governor received a new commission, executed by John, Thomas, and Richard Penn, to whom William Penn's estate and proprietary rights had descended. In the approval of this commission, the King expressly reserved the right to govern the Lower Counties on the Delaware, commonly known as the Territories.

This reservation was but the beginning of a series of encroachments by the home government, not only upon the rights of this, but upon those of all the American Colonies. The judiciary act of 1727 was soon after annulled, which threatened great inconvenience, but was fortunately averted by reviving the act of 1722. This was followed by an attempt to pass a resolution, recommended by the royal board of trade, requiring that all laws not only of Pennsylvania,

but of all the Colonies, should be transmitted to the King, whose assent was necessary to their validity, and that a copy of all laws previously passed should be submitted to him, who might annul any or all of them at his pleasure. Through the influence of the agent of the Assembly, Mr. Ferdinando John Paris, who was kept at Court as the representative of the Province, joined with the agents and friends of the other Colonies, action upon this resolution was stayed. But the disposition manifested in this proposition, so hurtful in its tendency to the dearest and most cherished rights of the Colony, was in character with those infringements of the Crown, which finally resulted in armed resistance, and their complete separation and independence.

In August of 1732, Thomas Penn, and two years later, John Penn, the Pennsylvania born, and the eldest of the surviving sons of William Penn, arrived in the Province. Their advent was hailed with demonstrations of joy and satisfaction on the part of the people, and furnished occasions of congratulatory addresses from the Assembly, framed in a spirit of unfeigned respect and gratification, by whom answers were returned pledging constant devotion to the interests of the Colony. To John Penn, the Assembly said: "Excited by affection and gratitude, we cheerfully embrace this opportunity of congratulating thee on thy safe arrival to the place of thy nativity. When we commemorate the many benefits bestowed on the inhabitants of this Colony, the religious and civil liberties we possess, and to whom these valuable privileges, under God and the King, are owing, we should be wanting to ourselves, and them that we represent, did we not do justice to the memory of thy worthy ancestor, a man of principles truly humane, an advocate of religion and liberty. What may we not hope for from the son of so great a man, educated under his care, and influenced by his example! May his descendants inherit his virtues as well as his estate, and long continue a blessing to Pennsylvania." To which he returned this answer: "I return you my hearty thanks for this affectionate address. The kind regard you express for the memory

of my father is most agreeable to me; and, as it was always his desire, so it is strongly my inclination, to do everything in my power to promote the happiness and prosperity of this Province."

Not long after the arrival of the latter, Governor Gordon was advised from London, that Lord Baltimore had made application to the king to have the three Lower Counties transferred from the dominion of Pennsylvania to that of Maryland. Richard Penn, the only one of the Proprietors remaining in England, and a deputation of Quakers, protested against this; but lest this opposition should fail, John Penn determined to return to England, to defend the Proprietary interests at Court, and soon after took his departure from the Colony, to which he never again returned, having died, unmarried, in October, 1746, leaving his share of the Colony to his brother Thomas.

In August, 1736, Governor Gordon died, equally lamented by the Proprietaries and the people, he having so judiciously administered the government, as not to set the interests of the one in antagonism to the other. During his term of office, general prosperity had prevailed, and the Colony had greatly increased in wealth and numbers. Its commerce likewise had grown to commanding proportions, and the number and tonnage of the colonial-built ships had been rapidly multiplied.

JAMES LOGAN, *President of the Council, August*, 1736, *to August*, 1738. — Upon the death of Governor Gordon, the executive authority devolved upon the Council, of which James Logan was President. During the two years which elapsed between the death of the late Governor and the arrival of his successor, the Assembly met regularly and advised with the Council, but no laws were passed and no legislative business was transacted, as the Council was forbidden by charter from exercising executive power in legislation. During this period, serious troubles arose from the contested jurisdiction of Pennsylvania and Maryland over portions of



James Logan

territory west of the Susquehanna, then a part of Lancaster County, now of York. To escape the payment of taxes in Pennsylvania, the settlers had accepted titles to their lands from Maryland, but subsequently had renounced their allegiance to the latter, and sought protection from the former. This action the Maryland authorities resisted, and the sheriff of the adjoining Maryland county, with three hundred men, advanced to drive out the settlers. The sheriff of Lancaster County, Samuel Smith, with a quickly summoned posse, went out to meet the Marylanders, and protect the citizens of his county. An amicable agreement was effected without coming to violence, and the two parties withdrew. But soon afterwards a gang of fifty armed Marylanders, under the leadership of one Cressap, again invaded the territory, with the design of taking forcible possession of the farms of the settlers, each of the band to have at least two hundred acres. In an encounter with the settlers, one of them, Knowles, who offered resistance to their demands, was killed. The sheriff of Lancaster came to the rescue, and a sharp skirmish occurred, in which one of the invaders was killed, and Cressap himself was wounded and made prisoner. Governor Ogle, of Maryland, sent a commission to Philadelphia to demand his release; but failing in this, he seized four of the settlers and incarcerated them in the jail at Baltimore. Not satisfied with the results of the contest thus far, a band of Marylanders, led by one Higginbotham, invaded the disputed ground and began driving out the settlers, when the sheriff of Lancaster again appeared and dispersed them. This harassing strife was kept up for several months, preventing the settlers from planting or improving their farms. In the meantime, a party of Marylanders, to the number of sixteen, under Richard Lowden, broke into the jail at Lancaster, and released the prisoners who had been apprehended. In the midst of these contentions, an order of the king in Council was issued, which had the effect to restrain both parties, and subsequently action was taken which provided for

the settlement of the question of boundary, and, consequently, of jurisdiction.

In these trying difficulties the affairs of the Colony were managed with great firmness and determination by Logan; and the Indians, who were again aroused to open hostilities by unprincipled traders, who, going among them and making them drunken, despoiled them of their skins and abused their women, were persuaded to forbearance and forgiveness by his arguments and appeals, and his kind and benignant bearing. He was only nominally governor during these two years, but really the ruling power behind those who held the gubernatorial commission, from the time of his arrival in the Colony, in 1699, for a period of over forty years, holding the offices of chief commissioner of property, agent for the purchase and sale of lands, receiver-general, member of Council, President of Council, and chief-justice. During the life of William Penn he had the exclusive management of all his private affairs in the Province, and after his death, those of his children, attending to the sale of lands, executing conveyances, making the collections, and looking to all the vast details of the Proprietary interests. In the course of his long service he met with stern opposition and often bitter reproach; but he bore all with a calm yet firm resolution, — the distinguishing mark of a great spirit, — and finally triumphed over all his adversaries.

"James Logan," says Proud, "was descended of a family originally from Scotland, where, in the troubles of that country, occasioned by the affair of Earl Gawrie, in the reign of James VI., his grandfather, Robert Logan, was deprived of a considerable estate, in consequence of which his father, Patrick Logan, being in reduced circumstances, removed into Ireland and fixed his residence at Lurgan, the place of his son James' birth. Patrick Logan had the benefit of a good education in the university of Edinburgh, where he commenced Master of Arts, but afterwards joined in religious society with the Quakers. Thus his son, James Logan, being endowed with good genius and favored with suitable educa-

tion, made considerable proficiency in divers branches of learning and science, after which he went to England, from whence, in the year 1699, and about the twenty-fifth of his age, he removed to Pennsylvania in company with William Penn, in his latter voyage to America, and in 1701 he was, by commission from the Proprietary, appointed Secretary of the Province and clerk of the Council for the same. His life was afterwards much employed in public affairs. . . . Many years before his death he retired pretty much from the hurry and incumbrance of public affairs, and spent the latter part of his time principally at Stenton, his country-seat, near Germantown, about five or six miles from Philadelphia, where he enjoyed among his books that leisure in which men of letters take delight, and corresponded with the literati in different parts of Europe. He was well versed in both ancient and modern learning, acquainted with the Oriental tongues, a master of the Latin, Greek, French, and Italian languages, deeply skilled in the mathematics and in natural and moral philosophy, as several pieces of his own writing in Latin, &c., demonstrate, some of which have gone through divers impressions in different parts of Europe, and are highly esteemed. Among his productions of this nature, his *Experimenta Meletemata de plantarum generatione*, or his Experiments on the Indian Corn or Maize of America, with his observations arising therefrom on the generation of plants, published in Latin, at Leyden, in 1739, and afterwards, in 1747, republished in London, with an English version on the opposite page by Dr. J. Fothergill, are both curious and ingenious. Along with this piece was likewise printed, in Latin, at Leyden, another treatise by the same author, entitled, *Canonum pro inveniendis refractionum, tum simplicium, tum in lentibus duplicum focis, demonstrationis geometricae.* And in his old age, he translated Cicero's excellent treatise *De Senectute*, which, with his explanatory notes, was printed in Philadelphia, with a preface or encomium by Benjamin Franklin, afterwards Dr. Franklin, of that city, in 1744. He was one of the people called Quakers, and died on the

31st of October, 1751, aged about seventy-seven years, leaving as a monument of his public spirit and benevolence to the people of Pennsylvania a library which he had been fifty years in collecting, since called the Loganian Library, intending it for the common use and benefit of all lovers of learning. It was said to contain the best editions of the best books in various languages, arts, and sciences, and to be the largest, and by far the most valuable, collection of the kind, at that time, in this part of the world. He had several children who survived him, of whom his eldest son, William, lately deceased, was many years a member of the Governor's council."

In 1742 a treaty was concluded with the Six Nations at Philadelphia, at which one of the native orators thus spoke of him, witnessing to the estimation in which he was held by the men of the forest: "We called at our old friend's, James Logan, in our way to this city, and to our grief we found him hid in the bushes, and retired, through infirmities, from public business. We pressed him to leave his retirement, and prevailed with him to assist once more, on our account, at your councils. We hope, notwithstanding his age and the effects of a fit of sickness, which, we understand, has hurt his constitution, that he may yet continue a long time to assist this Province with his counsels. He is a wise man and a fast friend of the Indians, and we desire, when his soul goes to God, you may choose in his room just such another person of the same prudence and ability in counselling, and of the same tender disposition and affection for the Indians. In testimony of our gratitude for all his services, and because he was so good as to leave his country house and follow us to town, and be at the trouble, in this, his advanced age, to attend the council, we present him with this bundle of skins."

"In personal appearance James Logan was tall and well-proportioned, with a graceful yet grave demeanor. He had a good complexion, and was quite florid even in old age; nor did his hair, which was brown, turn gray in the decline of life, nor his eyes require spectacles. According to the fash-

ion of the times, he wore a powdered wig. His whole manner was dignified, so as to abash impertinence; yet he was kind and strictly just in all the minor duties of acquaintance and society." *

Logan's whole life in America was a laborious one, his cares being such that few would have borne up under them. In one of his letters he says: "These duties make my life so uncomfortable that it is not worth the living." And again: "I know not what any of the comforts of life are." But he faithfully executed his great trust to the last, which proved a rich blessing to the Province; and it will redound to the glory and honor of the State in all times to come, that a man of so much learning, talent, and fidelity was found to execute the duties which the government imposed, and give wholesome bias to its rule.

GEORGE THOMAS, *Deputy Governor, August*, 1738, *to* 1747. — George Thomas, a planter of Antigua, one of the West India Islands, was appointed Governor in the summer of 1737; but owing to the claim of Lord Baltimore to jurisdiction over the Lower Counties, he was detained in London in defending the Proprietary rights, and did not assume the duties of his office until the following year. He first met the Assembly in August, 1738. The first serious business which claimed his attention was the question of jurisdiction over the disputed territory between Maryland and Pennsylvania. It was mutually agreed that each Governor should claim allegiance from its own subjects, wherever settled, until the boundary line was run. This agreement was approved by the King, and made an order in Council.

Andrew Hamilton, the venerable speaker of the Assembly, who for several years had served the Province with great ability and acceptance, towards the close of August took his final leave of that body, delivering a valedictory address conceived in a vein of eminently just reflection and sage advice. "It is not," he says, "to the fertility of our soil, and the

* Hazard, vol. v. 321.

commodiousness of our rivers, that we ought chiefly to attribute the great progress this Province has made within so small a compass of years, in improvements, wealth, trade and navigation; and the extraordinary increase of people who have been drawn here from almost every country in Europe, — a progress which more ancient settlements on the main of America cannot, at the present, boast of. No. It is principally, and almost wholly, owing to the excellency of our constitution, under which we enjoy a greater share both of civil and religious liberty than any of our neighbors. . . . . We have no officers but what are necessary; none but what earn their salaries; and those generally are either elected by the people, or appointed by their representatives. Other Provinces swarm with unnecessary officers, nominated by the Governors, who often make it a main part of their care to support those officers, notwithstanding their oppressions, at all events. I hope it will ever be the wisdom of our Assemblies to create no great offices or officers, nor indeed any officer at all, but what is really necessary for the service of the country, and to be sure to let the people, or their representatives, have at least a share in their nomination or appointment. This will always be a good security against the mischievous influence of men holding places at the pleasure of the Governor. . . . . Nor are we less happy in the enjoyment of a perfect freedom as to religion. By many years experience, we find that an equality among religious societies, without distinguishing any one sect with greater privileges than another, is the most effectual method to discourage hypocrisy, promote the practice of the moral virtues, and prevent the plagues and mischiefs that always attend religious squabbling."

On the 23d of October, 1739, war, which for two years had been impending, was formally declared between Spain and Great Britain. Governor Thomas had previously made some efforts to organize the militia; but without much success. He now endeavored to use his official authority in effecting his purpose. The Assembly had always been averse to voting

money for carrying on military operations, though it had appropriated funds for the use of the Crown, to be devoted to the civil service. Thomas was dissatisfied with this course, and endeavored to convince the Assembly that such a position was absurd, and that his opinion should be respected. He seems to have had as imperfect a judgment of the Quaker faith and practice as had Governor Evans, already noticed, and to have believed that these men could be driven to adopt his views. In this he found himself deceived. Fruitless and vexatious messages passed between them. Finally a communication was received from the home government, directing the Governor to call for volunteers. Eight companies were rapidly organized and sent to the capes of Virginia. It was found that many servants had been enlisted. Of this the Assembly complained, and in its bill making appropriations for the use of the King, provided for the payment of masters for the losses thus sustained. The Governor objecting to this provision, refused to sign the bill. At the next election the conduct of the Assembly in this matter was approved, and an order was issued by the Trustees of the Loan Office for the payment of the masters.

In 1740, much religious excitement prevailed in the Colony produced by the preaching of Whitefield. Many of all denominations followed him, the feeling amounting to almost a frenzy. By his exertions a large brick edifice was erected in Fourth Street, Philadelphia, to be open to any preacher of any denomination who should desire to address the citizens.

In August, 1741, Thomas Penn departed for Europe. The Assembly presented him with a kind and affectionate address on the occasion, to which he made answer expressing his satisfaction, and commending to its care the interests of the Province.

The contentions between the Governor and the Assembly increased at every meeting, until the style of communication between them became in a marked degree disreputable. The Governor refused to sign the bills of the Assembly, and the

Assembly, in turn, refused to vote him his salary. To the Governor's complaint that his salary was unpaid, answer was made by the Assembly that they were accustomed to have all their business progress in due order, and that public acts took precedence of appropriations for their own pay.

Headstrong by nature, and determined to triumph over the Assembly, he decided to appeal to the people. The Quaker element in the Assembly was strong. This he hoped, by the aid of the city and the German population, to break down. The elections were held; but the Quakers were everywhere triumphant. In the city riots were incited, a band of marines, in the interest of the Governor's party, taking possession of the polls; but they were finally driven away.

Satisfied that he could not subdue the Assembly to his will, he decided to adopt a conciliatory policy, and to the bills presented he promptly affixed his signature. The Assembly, willing to reciprocate, voted the Governor fifteen hundred pounds for arrearages of his salary. This reconciliation was lasting, the relations of the two parties during the remaining years of the Governor's administration being marked by mutual good-will.

In March, 1744, war was declared between France and Great Britain. The Delaware had been a resort for the privateers of the enemy in time of war. To protect the Province against the encroachments of these, batteries were planted along the shore at eligible points for defence, the expense being met by money raised by a lottery. Governor Thomas called for volunteers by proclamation, appointed necessary officers, and fixed days for drill. The Governor was seconded in his efforts by Franklin, who issued a pamphlet entitled *Plain Truth*, demonstrating the helpless condition of the Colony, and the necessity for union and discipline. Ten thousand men were rapidly enlisted, and armed at their own expense. Franklin was elected Colonel of the Philadelphia regiment, but declined in favor of Alderman Lawrence.

On the 5th of May, 1747, the Governor communicated to

the Assembly the death of the eldest of the Proprietors, John Penn, and at the same time his own determination, on account of declining health, to resign. This announcement was received with manifestations of regret, a feeling of sincere respect and esteem being cherished towards him. Gordon, in his History of Pennsylvania, presents the following estimate of his character: "Governor Thomas was active, industrious, and capable; attached to the Province, but more devoted to the Proprietaries and the king. In his zeal for His Majesty he overlooked the principles and character of the people he was called to govern. He believed himself sufficiently strong in polemical controversy to shake the opinions for which their ancestors had broken the tender charities of kindred and country, and which they themselves cherished with enthusiasm. Failing in this, he endeavored to intimidate men who, though declining to exhibit military courage, were no respecters of persons, and had never displayed political cowardice. When experience had taught him properly to appreciate the Quaker character, and to determine how far and in what manner their loyalty could be shown unchecked by their consciences, he drew from them without difficulty whatever he could in propriety demand. His moderation and considerate forbearance towards the Quakers during the latter years of his administration were rewarded by the esteem of the people and the confidence of the legislature."

## CHAPTER VII.

### RICHARD AND THOMAS PENN, PROPRIETORS, 1746–1771.

ANTHONY PALMER, *President of the Council, May,* 1747, *to November* 23, 1748. — Soon after his resignation, Governor Thomas departed for Europe, and left the government in the hands of the Council, of which Anthony Palmer was president. It was a period in which many dangers threatened the Province. The enemy's privateers continued to infest the waters of the Delaware. The Assembly was urged to provide means of defence. The dominant element was by principle opposed to a resort to force, and framed ingenious excuses for refusing to vote the necessary means, alleging that the Colony must look to the Crown of England for protection; that to volunteer provision for defence was virtually to assume the responsibility and expense which the home government was now willing to bear. The Quakers, Moravians, Mennonists, and other kindred sects, strenuously opposed even a defensive war, while other religious sects, with equal warmth, advocated a vigorous force policy. The pulpit and the press were deeply involved in the discussion, and the population was divided into opposing factions upon this question.

The French, who were now laboring to connect their possessions in Canada with those upon the Mississippi, by establishing a line of forts and posts along the Alleghany and Ohio rivers, were busy in their efforts to seduce the natives from their alliances of peace and friendship with the English, employing artful blandishments and the most showy and attractive presents. The policy of Pennsylvania had always been to spend the money which the other Colonies had used for military operations against the savages, in pro-

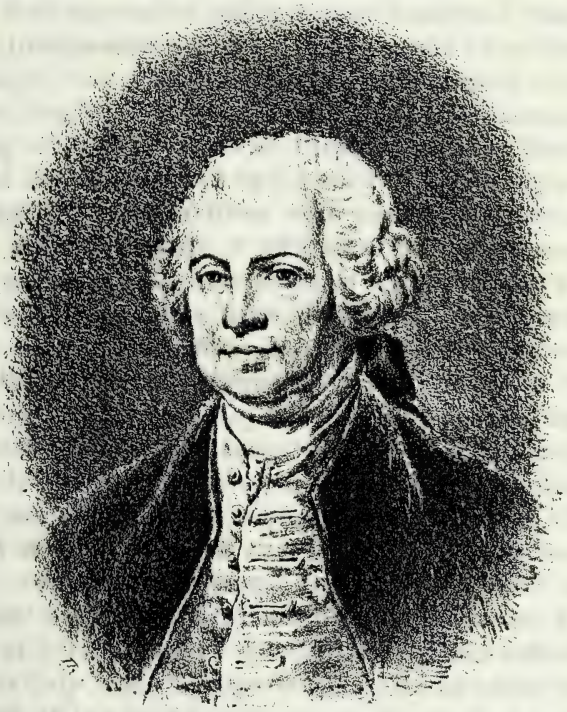
viding for their wants and ministering to their native taste for display. The Indians soon discovered the advantage of this policy, and became very artful in making the most of it. They desired frequent councils for brightening the chain of friendship. They took good care to magnify the arts of the French to win them over, and to insinuate that without strong and substantial inducements they would be unable much longer to withstand the pressure. Insignificant and roving bands sent frequent deputations to smoke the calumet of peace and cement friendship with suitable tokens. At a great council held at Albany in 1747, Maryland and Virginia were induced to join Pennsylvania, at which the latter distributed goods to the value of one thousand pounds. A short time previous to the holding of the Albany council, Pennsylvania dispatched a messenger, in the person of Conrad Weiser, to visit the tribes dwelling in the central and western parts of the Province, charged with observing carefully the disposition of the Indians, their number, their means of warfare, the position of the French, their designs, and especially the arts which they practised to gain the favor of the red men. He was especially to magnify the power of the English, their present pacific disposition, and their designs of distributing costly and countless presents, and to particularly revive the remembrance of the peaceful policy of Pennsylvania above every other colony, in order to secure for it immunity from future peril.

On the 1st of October, 1748, the treaty of Aix-la-Chapelle, which secured peace between France and Great Britain, was concluded, and the excuse for hostilities between the representatives of these nations upon the North American continent was removed; but the fell passions of the savages had been aroused, and they were not easily nor long kept in subjection. The sway of the Council under the presidency of Palmer lasted a little more than two years. He was a gentleman of wealth, who had removed to the Colony in 1708 from the West Indies. "He lived," says Watson, "in a style suited to his circumstances, keeping a coach — then a great

luxury — and a pleasure-barge. He is said to have had twenty-one children by his first wife, all of whom died of consumption: some of his descendants by a second wife are now living in Philadelphia." He died in 1749.

JAMES HAMILTON, *Deputy Governor, November* 23, 1748, *to October* 3, 1754.— On the 23d of November, James Hamilton, American-born and possessed of considerable landed estate, son of Andrew Hamilton, formerly for several successive years speaker of the Assembly, arrived in the Province from England, bearing the commission of Lieutenant-Governor. His first attention was directed to removing grievances of the Indians dwelling west of the Susquehanna, who complained that white settlers had seized and occupied the choicest lands and most eligible locations along the streams and water-courses — their own native haunts — territory which had never been acquired by the Proprietors, and were of right their own possessions. Richard Peters, secretary of the Province, and Conrad Weiser, Indian interpreter, and an old friend of the red men, were sent to remove these intruders, — squatters, in more modern parlance. They executed their delicate duty in a spirit of firmness, but with exemplary prudence. The settlers generally consented to give up their lands without opposition, entering into recognizances for their appearance, and even helping with their own hands to reduce their cabins to ashes. To the needy the Secretary gave money, and freely offered them homes on his own lands, a tract of two million of acres which had been formally acquired of the natives.

But the troubles resulting from these encroachments were of small moment compared with those which were now threatening the entire line of English settlements from Nova Scotia to the Gulf. The treaty of peace which had been concluded between the London and the Paris governments was scarcely felt across the ocean. To the complaints made by the British ambassador at Versailles, that the French in America were encroaching upon the English Colonies, fair promises of



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amendment were made, and orders were issued in the most formal manner to the French authorities in Canada to desist; but at the same time secret intimations were conveyed to them that it was not expected that these orders would be obeyed, that their aggressive policy was at heart well pleasing, and that transgressions of these orders would be winked at. Accordingly, the Canadians fearlessly continued their advance upon English territory, planning the establishment and fortifying of military posts at Presque Isle, Le Bœuf, Venango, and Du Quesne, and had buried pieces of copper along the line of the Ohio River with inscriptions laying claim to the soil. This state of affairs had been discovered through the sagacity and penetration of one to whom the country afterwards owed, in a large measure, its existence as a nation. A company of settlers had, previous to this time, under the authority of the Virginia Assembly, known as the Ohio Company, pushed out beyond the Alleghanies, and coming in contact with the French, had given the first intelligence of their presence south of the Great Lakes, and of their armed occupation of the territory. To ascertain officially the fact of their presence and their future intentions, Governor Dinwiddie, of Virginia, determined to send an agent to confer with the French commander, who had his headquarters at Fort Le Bœuf. He selected for this difficult and dangerous duty Major George Washington, an officer of militia, a youth of less than twenty-two years, who had manifested spirit and ability. Leaving civilization on the 14th of November, 1753, with an escort of Indians and a faithful friend, and plunging into the forests, he followed Indian paths, crossing mountains and swollen streams, ascending the Alleghany to its confluence with the French Creek, and thence up that stream until he reached Fort Le Bœuf, the site of the present town of Waterford, Erie County, where he met Legardeau de St. Pierre, the French commandant; and having accomplished the object of his mission, returned by nearly the same route, having been absent nearly two

months, and escaped harm from the lurking savage and the hardships of the journey at an inclement season. To the remonstrances of Washington, St. Pierre answered, that he occupied, and would hold, his position by order of the Marquis Du Quesne, governor of Canada, to whom all discussion of the rights of the two peoples was referred. From a captain and interpreter, De La Joncaire, in the French service, Washington ascertained that the French claimed the country upon the Ohio and its tributaries by reason of its discovery by La Salle, sixty years before, and that their present activity in getting a foothold was to circumvent the Ohio Company, which was pushing settlements upon these lands.

Seeing that the Ohio Company was making what he deemed encroachments upon the territory under his jurisdiction, the Marquis Du Quesne had already remonstrated with Clinton and Hamilton, governors of New York and Pennsylvania, against the wrong. His expostulation being disregarded, the French seized some English traders, and sent them prisoners to France. The chiefs of the Six Nations were informed of these proceedings, and ordered the French away from their lands; but the French cared little for the orders of the Indians, the gaudy presents with which they were always kept well supplied being relied on to effectually mollify the ill-will of the crafty savages; and when these failed, threats and intimidation produced the desired effect. Early in his administration, Governor Hamilton had urged upon the Assembly the necessity of organizing for defence, and establishing block-houses along the frontier; and the Proprietors had signified their willingness to contribute liberally for this purpose. But the Assembly persistently objected to assuming the responsibility for even defensive warfare, preferring to vote money freely to secure the friendship of the Indians by liberal gifts, and to the Crown of England from whom protection was claimed. To such an extent had this system of granting gratuities to the Indians been carried, that the aggregate for a single year amounted to eight thousand pounds; and yet the natives were not appeased. These

sums began to be felt as burdensome, and the Assembly demanded that the Proprietors should bear a share. The latter manifested a willingness to contribute a due proportion of the expenditures for defence,— the sons of Penn having long since renounced the Quaker faith, — but not for purchasing security, sending cannon to the value of four hundred pounds for the protection of the Delaware and the city of Philadelphia, and in various other ways assuming the payments of large sums. The answer to this manifesto of the Proprietors was drawn by Benjamin Franklin, who, since 1736, had been clerk of the Assembly, and was in 1750 elected a member. It was adroitly done, the weapons of argument being wielded with a master-hand, the rejoinder upon some indefensible points cutting like a Damascus blade. The Proprietors had, by implication, said that, as their consent was necessary to the validity of all laws for the Colony, it would be advisable for the Assembly to carefully regard the Proprietary interests. To this the Assembly answered, that "their chief Governors had intimated, in plain terms, their disposition to make advantage of their place, and to require from the people a pecuniary consideration for facilitating the passage of the colonial laws, though their deputy was, and ought to be, impowered to sanction all necessary bills. If such corruption existed, it must be discontinued; and they would rely upon the goodness of their sovereign for the final confirmation of their laws, and not go to market for them to a subject." * To the assertion of the Proprietors, that the Assembly should be content with the answer of the Deputy-Governor to their complaints, the reply was made: "To forbid an appeal from the Deputy-Governor to his principal was unheard of. No king of England had ever taken upon himself such state, as to reject the personal application of his meanest subject, when aggrieved by his officers. Even Sultans, Sophys, and other Eastern absolute monarchs, would sometimes sit whole days to hear the complaints and petitions of their very slaves; and were the Proprietaries of Pennsyl-

* Gordon, page 265.

vania become too great to be addressed by the representatives of the freemen of their Province? If *they* must not be reasoned with, because they had *given* instructions; nor their deputies, because they had received them; the deliberations of the Assembly were useless; they had only to learn and obey the will of the Proprietaries." In conclusion, they said: "If the Province must be at more than two thousand pounds expense per annum for a deputy governor, having no discretion to pass laws, as was intimated in the Proprietaries' answer, and must obtain the assent of the chief Governor at more than three thousand miles distance, often ignorant or misinformed of its affairs, with ears peremptorily closed by having given instructions to their deputies, it would be better that the Colony should be under the immediate care of the Crown; and a sincere regard for the memory of the first Proprietary made them apprehend for his children, that, if they followed the advice of Rehoboam's counsellors, they would, like him, absolutely lose at least the affections of the people; a loss which, however they might affect to despise, they would find of more consequence than they now seemed to apprehend."

On the 25th of June, 1751, the Parliament of Great Britain had passed a bill prohibiting the North American Colonies from issuing paper currency. Influenced by a statement of the needs of the Colony, and the great advantages to commerce, population, and internal improvements derived from that already issued, Pennsylvania was exempted from the provisions of this bill. Accordingly, at the next session, an Act was passed for a new issue. By the instructions of the Proprietors, the Deputy Governor was forbidden to approve any money bill which did not place the whole of the interest at the disposal of themselves or deputies. Well knowing that such conditions would be exceedingly odious, the Governor had kept them a secret, and, upon one pretext or another, refused his assent to the bill in every form presented, without disclosing the real reason of the veto. This refusal gave rise to a series of sharp and

impassioned messages and remonstrances which greatly impaired the harmony and usefulness of the Governor; indeed, it was the beginning of the end of his administration.

In February, 1753, John Penn, son of Richard Penn, arrived in the Colony, having been sent by the Proprietors to reside a few years among the people, and gain a knowledge of their character and wants, with the expectation of eventually making him Deputy Governor. By unanimous vote of the Council he was made a member of that body, and its presiding officer, the place of the eldest councillor.

As early in the spring of 1754 as troops could profitably move, the French, under command of Contrecœur, from Forts Le Bœuf and Venango, moved down the Alleghany River, and routing a small party of the Ohio Company who were engaged in erecting a fort at the confluence of the Alleghany and Monongahela rivers, took up the line of work upon the Fort where the English had left it, and, out of respect to the Governor-General of Canada, named it Du Quesne. The journal of Washington, and the report of his embassage, were promptly published throughout the Colonies and in England, and produced the conviction that the French were determined to make conquest of all the lands upon the tributaries of the Ohio. Accordingly, measures were taken to raise troops in the several Colonies to defend the imperilled rights of the Crown, and rescue territory which had been forcibly entered. Governor Dinwiddie, of Virginia, was most forward in this work, inasmuch as the Ohio Company, acting under his charter, was meeting resistance. Washington took the lead in recruiting. Governor Hamilton urged upon the Assembly the necessity of voting money; but although the Assembly readily complied by providing for the issue of paper currency, the impracticable provisions imposed by the Proprietors prevented any money from being realized. Early on the morning of the 28th of May, Washington, who had recruited a small force of militia, and was pushing forward to the aid of the Ohio Company, surprised and routed a party of the French under Jumonville, near the Great

Meadows, capturing the entire party save one, and killing the leader. Washington had but a feeble force, to which the French in the neighborhood were vastly superior. Anxiously but vainly waiting for reinforcements, he was finally obliged to retire, without coming to a decisive engagement, to Fort Necessity, at the Great Meadows, which he labored to fortify. But on the 4th of July he was obliged, after nine hours of conflict with a greatly superior force, to yield to the French, who permitted him to march out with the honors of war.

Governor Hamilton convened the Assembly on the 6th of August in special session in consequence of Washington's defeat; and money was freely voted as before, but with the same abortive result.

Though the French in America were greatly inferior in numbers to the English, yet they had the immediate advantage of being directed by one governing power, which enabled them to concentrate all their resources at any point desired. This advantage had been foreseen by the English Government, and already, with a view to a central power, had the Ministry recommended a uniform system of taxation, — which finally became the bone of contention between the mother country and her Colonies, — and had ordered a conference of representatives of the Provinces with the chiefs of the Six Nations at Albany, to concert measures of defence. This council convened on the 19th of June, 1754, the first general Congress of the Colonies in America. Governor Hamilton, unable himself to attend, commissioned John Penn and Richard Peters of the Council, and Isaac Norris and Benjamin Franklin of the Assembly. The Indians were lukewarm. Indeed, they had shown themselves a treacherous people, inclined to the stronger side. A plan of government for the Colonies, prepared by Franklin — who had previously meditated the subject and had brought his notes with him — was, on the 10th of July, adopted substantially as submitted. It provided for a president-general to be appointed by the Crown, and a council of forty-eight members to be chosen by the Colonial Assemblies. It was provided that the first meeting

should be held at Philadelphia, which place, it was believed, members from New Hampshire even might reach in ten or fifteen days. "The fate of this constitution," says the biographer of Franklin, "was singular. It was disapproved of by the Ministry of Great Britain because it gave too much power to the representatives of the people; and it was rejected by every Assembly as giving to the president-general, the representative of the Crown, an influence greater than appeared to them proper in a plan of government intended for freemen." *

Early in 1753 Governor Hamilton had given notice to the Proprietors that in twelve months from its reception he would resign his commission. He was led to this step by the disagreeable relations which the royal and Proprietary instructions forced him to hold towards the Assembly. Induced to keep his instructions secret by the conviction that their divulgence would tend to exasperate the people, he was obliged to assign various pretexts for refusing his assent to many necessary acts of legislation, which pretexts were recognized as frivolous and indefensible by the Assembly, well calculated to alienate that body, and to place the Governor before it in a false and damaging position.

ROBERT HUNTER MORRIS, *Deputy Governor, October, 1754, to August, 1756.*—In October, 1754, Governor Hamilton was relieved by Robert Hunter Morris. The old dispute between Governor and Assembly over the money bill was early renewed, his first official act being the rejection of one for forty thousand pounds. Great Britain had at this time determined to press resistance to the French energetically, and Pennsylvania was called on to furnish three thousand recruits, subsistence, camp equipage, and transportation. Unable to secure an appropriation of money, by reason of the Proprietary instructions, the Assembly showed its desire to promptly second the purposes of the Crown by resolving to borrow five thou-

* Life of Franklin, p. 118.

sand pounds on its own credit for the support of the troops.

Early in March, General Braddock, with two regiments of the line, arrived from Cork, Ireland, at Alexandria, Virginia, whence he marched to Frederick, Maryland. Here the haughty General found that no means of transportation had been provided, nor could any be obtained. Franklin, who had been sent to Braddock by the Assembly of Pennsylvania, not in its own name, but to represent the Colonial cause as Postmaster-General — an office which he then held — indicated to him that the line of march should have been through Pennsylvania, where the supplies needed were abundant. Whereupon Braddock commissioned him on liberal terms to procure one hundred and fifty wagons and fifteen hundred pack-horses. Returning immediately to Pennsylvania, he circulated notices through the counties of Cumberland, York, and Lancaster as he went, offering good prices and immunity from impressment, which he represented as imminent, and in a few days had all the wagons he desired and a good number of horses. His wants in this particular being supplied, Braddock commenced his advance, with entire confidence of complete success. After brushing aside the slight resistance which he might meet at Fort Du Quesne, and leaving a garrison there, he would move rapidly upon Forts Niagara and Frontignac, having no suspicion of the possibility of a repulse. Possessed of the ideas of soldiering in a long-settled country, with broad, solid highways on which to move his trains, he little realized the obstacles he was to meet in fighting savages in the wilderness. Finding only Indian trails, he stopped to cut away the forests, build bridges, and construct roads, treating with contempt the advice of Washington to push rapidly forward with pack-horses. By the time he had reached the Monongahela, the French, who had been regularly advised of his movements, had had ample time to gather in reinforcements, and fire the spirits of the Indians for the conflict. On the morning of July 9th, 1755, when within seven miles of Fort Du Quesne, and while

marching confidently on, the front and left flank of the column was suddenly assailed by an invisible foe. Momentary confusion ensued; but soon rallying, the troops moved in good order, the officers evincing admirable discipline and courage. But every tree concealed a foe, from which an unerring fire was delivered with deadly effect. Sir Peter Halkett, the second in command, was killed, Braddock mortally wounded, and every mounted officer save Washington killed or wounded. Washington had two horses killed under him, and four bullets through his coat, but still kept his horse; and after seeing sixty-four out of eighty-five of the officers, and half the privates, killed or wounded, withdrew with the remnant of the forces, losing artillery and stores, even to the private cabinet of the commander, which contained his instructions.

The defeat of Braddock left the frontier unprotected, and struck the defenceless settlers with terror. The Assembly immediately voted fifty thousand pounds to the King's use for affording protection; but Governor Morris returned it without his approval, because it provided for taxing the property of the Proprietors, as other estates, and from this decision no argument could move him. In their remonstrance against his decision the Assembly said: "We entreat him to reflect with what reluctance a people born and bred in freedom, and accustomed to equitable laws, must undergo the weight of this uncommon tax, and even expose their persons for the defence of his estate, who, by virtue of his power only, and without the color of right, should refuse to bear the least share of the burden, though to receive so great a benefit. With what spirit can they exert themselves in his cause, who will not pay the smallest part of their grievous expenses? How odious must it be to a sensible, manly people to find him, who ought to be their father and protector, taking advantage of public calamity and distress, and their tenderness for their bleeding country, to force down their throats laws of imposition abhorrent to common justice and common reason!"

Expeditions undertaken against the French in Nova Scotia, and at Crown Point, were more successful, and in a measure atoned for the failure of that under Braddock. To defray the expenses of these northern operations, the Assembly voted fifteen thousand pounds in bills to be drawn on the trustees of the loan office. The Proprietors, having intelligence of the defeat of Braddock, also contributed five thousand pounds; and a money bill, with a provision for the organization of a volunteer militia, was passed.

The French at Du Quesne expected that operations against them would be renewed. But no sooner did they find that the campaign had been abandoned, and that a long line of settlements lay all unprotected before them, inviting attack and easy conquest, than they lit the torch of devastation, and the whoop of the savage and the death-shriek of the powerless inhabitant was heard by mountain and stream along all the frontier. The most appalling outrages were committed, and the settlers were driven in until the enemy, advancing through Cumberland County, had reached the Susquehanna, where the main body established themselves, about thirty miles above Harris' Ferry, and whence wandering bands were sent out in all directions. Even the Shawanese and Delaware Indians, who from the first had been clamorous to take up arms on the side of the English, seeing the French victorious, and being encouraged by the latter to strike for the recovery of the lands which they had sold, following the inclination of their naturally blood-thirsty disposition, raised the hatchet against the English. In the beginning of the year 1755, it was estimated that there were three thousand men capable of bearing arms west of the Susquehanna. A twelvemonth later, and there were not a hundred.

To check these devastations, a chain of forts and block-houses was erected along the line of the Kittatinny Hills, from the Delaware river to the Maryland line, at an expense to the Province of eighty-five thousand pounds. To encourage the formation of volunteer militia companies, Franklin published and circulated a dialogue, answering the objections to

a legalized militia, and, at the urgent solicitation of the Governor, was induced to take command on the northwestern frontier. Though in the dead of winter, he raised a respectable force, and in the beginning of January, amid rain and frost, commenced the erection of forts, which he soon made sufficiently strong to withstand the attacks of an enemy wanting in artillery, and had them completely garrisoned. Recruits having been rapidly gathered in, and an adequate force formed, Franklin returned to Philadelphia to take his seat in the Assembly, and was succeeded by Colonel Clapham, an officer skilled in Indian warfare. The Governor now formally declared war against the hostile Indians, though a vigorous protest was made to it by the Quakers in the Assembly, and finally, by the mild and persuasive methods in which they were skilled, they succeeded in inducing the Shawanese and Delawares, and other tribes, to bury the hatchet. The Assembly, which met in May, in answer to the demands for money from the Governor, prepared a bill, with the old provision for taxing the Proprietors, which was known would be rejected, and the two parties were sharpening their wits for another wrangle over it, when the Governor was relieved of his office.

Governor Morris was the son of Lewis Morris, Chief Justice of New York and New Jersey, and Governor of New Jersey. The son was bred a lawyer and was for twenty-six years a Councillor of New Jersey, and for twenty years Chief Justice of that Province. His administration in Pennsylvania was anything but pleasant or profitable to himself or the Colony. Hampered by the instructions of the Proprietors, he was prevented from acting independently as his judgment or his feelings dictated, the record of his official acts being little more than a recital of profitless and oftentimes acrimonious quarrels with the Assembly. Upon his retirement he returned to New Jersey, where he died February 20th, 1764.

WILLIAM DENNY, *Deputy Governor, August*, 1756, *to*

*October*, 1759.—On the 20th of August, 1756, William Denny arrived in the Colony, bearing a commission of Deputy Governor, and immediately assumed the duties of his office. He was received by the authorities of the city and the Province with demonstrations of rejoicing, being escorted into the city by the regiments of Franklin and Duché, and entertained at a princely dinner given at the State House. His reception was in every way most cordial; but an exhibition of his instructions from the Proprietors disclosed the fact that he was bound by honor and fortune to withhold his assent from every bill for the emission of money that did not place the proceeds at the joint disposition of the Assembly and the Governor; that he was forbidden to pass any bill increasing the paper currency above forty thousand pounds, or to confirm existing issues, unless Proprietary rents were paid in sterling money; and that though Proprietary lands, actually leased, could be taxed out of the rents, yet the tax could in no case become a lien upon the land. To these instructions the Governor signified his determination to adhere, which at once renewed all the old subjects of discord, and all friendly feeling was at an end. A money bill was passed, to which he promptly objected, pleading his instructions, and the war of message and remonstrance began anew. In one of his messages, during his first year of office, occurs this passage: "Though moderation is most agreeable to me, there might have been a Governor who would have told you the whole tenor of your message was indecent, frivolous, and evasive." And in his message of September, 1757, occur these passages: "If detraction and personal abuse of your Governor," —"but I have been so accustomed to this kind of treatment," —"I have the less reason to regret such usage, since it is obvious, from your conduct to those before me, you are not so much displeased with the person governing, as impatient of being governed at all."

Under the Act of Assembly providing for organizing volunteer militia, twenty-five companies had been raised, which were stationed at military posts along the line of the

frontier. Near the close of August, Colonel Armstrong led a force of about three hundred of these troops against the Indian town of Kittanning, upon the Alleghany River, some twenty-five miles above Fort Du Quesne. On approaching the place, the main body made a detour to the left, and came upon the river some three hundred yards below the town at three o'clock on the morning of the 7th of September. At dawn the attack was made. Shielded from view by the tall corn which grew upon the river flats, the approach was unobserved, and the surprise and triumph was complete. Jacobs, the chief, sounded the war-whoop, and defended himself bravely through loop-holes in the logs of his cabin. The warriors generally refused quarter, declaring that they were men, and never would be prisoners. Finding that they would listen to no terms, Armstrong ordered their cabins to be fired. "Again," says Gordon, "the Indians were required to surrender, and again refused; one of them declaring that he did not care for death, as he could kill four or five before he died; and as the heat approached, some of them began to sing. Others burst from their houses and attempted to reach the river, but were instantly shot down. Captain Jacobs, in getting out of a window, was shot, as also a squaw, and a lad called the king's son." Considerable quantities of gunpowder, and small arms, with valuable goods which had been presented by the French a few days before, were destroyed. The severity of this blow had a marked effect upon the surrounding tribes, who had not before felt the power of the English arms. The gallantry of Armstrong in this affair was publicly acknowledged, and he was presented with a medal and plate by the city of Philadelphia.

On account of the repeated failure of the money bills, the Colonial Treasury had become greatly embarrassed. The need of money was imperative. The Assembly accordingly passed a bill, levying one hundred thousand pounds upon all estates, real and personal, including alike that of Proprietor and people. Governor Denny promptly rejected it; and the Assembly, unable to hold out longer,

was forced to exempt the Proprietary estates; but at the same time determined to send two commissioners to England to present their grievances before the throne, and seek relief. Isaac Norris and Benjamin Franklin were selected for this mission. The state of health and business relations of the former prevented his acceptance, and the latter proceeded alone.

During the winter of 1756, the hostile Indians were busy in their work of devastation and death, and during the spring and summer months of 1757, the settlers in the counties of Cumberland, Berks, Northampton, and Lancaster were kept in a continual state of alarm; the savages lurking in every covert, and shooting laborers as they sowed and gathered, and murdering and scalping helpless women and children; some of their hostile parties pushing down within thirty miles of the city of Philadelphia. The military operations against the French and Indians during the year 1757 were sluggish, being conducted under the chief command of the Earl of Loudoun, and resulted in nothing but defeat and disgrace. In 1758, Loudoun was recalled; and General Abercrombie, with Amherst, Wolfe, and Forbes as his lieutenants, was entrusted with the chief command. William Pitt was now at the head of the British Ministry, and was resolved upon wielding power in America with that mastery which he had displayed in the affairs of the Continent.

It was determined to direct operations upon three points: Louisburg, the forts upon the lakes, and Fort Du Quesne. In the meantime a conference was held at Easton, in August, 1757, with the Indians, at which the Governors of New Jersey, New York, Maryland, and Virginia, and Sir William Johnson, the victor over the Baron Diesker in the battle upon Lake George, in August, 1755, were invited to participate. Delegates from the "Friendly Association" of Quakers were also present, and assisted materially in inclining the savages to peaceful counsels. Charles Thomson, Master of the Quaker Free School, of Philadelphia, subsequently Secretary of the American Congress, acted as secretary to the Indians.

The result of the council was a compact of peace with the English by the tribes represented. General Abercrombie, in person, led the main body of his forces against the forts upon the lakes. In an attack upon Ticonderoga, — a fort erected by the French in 1756, upon a narrow neck of land between Lakes George and Champlain,— he was repulsed with grievous loss. But at Frontignac he was successful, where large captures of guns and military stores were made, and the French force, routed, was followed and destroyed. General Forbes was intrusted with the operations against Fort Du Quesne. With a detachment of Abercrombie's army, and the militia of Pennsylvania and Virginia, under command of Colonels Bouquet and Washington, he marched from Carlisle in July, 1758, and, after severe fighting in front of the fort, compelled its evacuation, the French escaping to their settlements upon the Mississippi. The fort was seized and garrisoned by four hundred Pennsylvanians, and the rest of the army returned, and was quartered upon the inhabitants of Lancaster, Reading, and Philadelphia; but was finally put in barracks at Lancaster.

It was determined to put a finishing stroke to the French power in America in the campaign of 1759. The general plan involved active operations along all the line of the Colonies. General Stanwix, who was intrusted with the command of the Southern Department, kept close guard of the frontier in Maryland and Pennsylvania. About the middle of July, General Prideaux, with a force strengthened by friendly Indians, invested Fort Niagara, near the Falls. While reconnoitring the trenches, he was killed by the bursting of a coehorn, and was succeeded by Sir William Johnson. A large French force, drawn from Detroit, Venango, and Presque Isle, which approached for the relief of the fort, was met, and, after a severe battle, was routed, and its commander and all his officers were taken prisoners; whereupon the garrison of the fort surrendered. General Amherst, with twelve thousand troops, fell upon Forts Ticonderoga and Crown Point; but encountered little resistance, the French,

upon his approach, withdrawing towards Quebec. Finally, to crown this series of triumphs, General Wolfe, with an army of eight thousand men, moved for the reduction of Quebec. The place was defended by a French army of six thousand men, under General Montcalm, in a position strong by nature, and rendered seemingly impregnable by art. All attempts to draw his adversary from this stronghold having proved fruitless, Wolfe moved his forces up the river, as if to land above; but, during the night of the 12th of September, dropped quietly down, under cover of darkness, and landing upon a rugged shore deemed impracticable for the debarkation of an assailing force, and hence little guarded, ascended the steep bluff, and at daylight stood in hostile array upon the plains of Abraham. Montcalm immediately determined to give battle, and after a desperate engagement fought with great bravery and determination, in which the commanders of both armies were killed, the English gained a signal and complete triumph. The news of this succession of brilliant victories was received in Great Britain with demonstrations of delight. A day of thanksgiving to God throughout the royal dominions was proclaimed, and Parliament voted a monument in Westminster Abbey to the fallen hero by whose gallantry the last great victory was won.

Franklin, who had arrived in London in July, 1757, laid his instructions before the Ministry, and was at once involved in a controversy with the Proprietors. Towards the close of the year 1757, Robert Charles and Richard Partridge were sent to Franklin as associates. A few days after his arrival, Franklin had presented a remonstrance to the Proprietors against the instructions they had given to their Deputy Governor. In February, 1759, the Proprietors sent a message to the Assembly in answer to this remonstrance, defending their course. In the meantime Franklin, finding that the cause of the Assembly was being grossly misrepresented, and that ignorance prevailed relative to the real condition of the Colony, had recourse to the press, and, by articles in the newspapers, and by a pamphlet entitled "Historical Review of

the Constitution and Government of Pennsylvania," sought to enlighten public sentiment. The Proprietors had proposed to allow their estates to be taxed, provided their value should be assessed by commissioners of their own appointment. This the Assembly resisted, and passed the money bill of the session of 1759, with no discrimination in assessments. This was resisted by the Proprietors before the Privy Council, but it finally received the royal sanction on the engagement of Franklin that the Deputy Governor should be admitted to a participation in the disposal of the revenues, that the bills issued should be a tender in payment of quit-rents, and that the located uncultivated lands of the Proprietors should be assessed as low as the lowest uncultivated lands of the settlers. This final decision of a vexed question, substantially in the interest of the Assembly, was a signal triumph for the Commission, and Franklin was appointed agent for the colonies of Massachusetts, Maryland, and Georgia, in addition to Pennsylvania.

Governor Denny had received no pay since his first arrival in the Colony, when he was presented with five hundred pounds, all appropriations since having fallen by want of his signature. His needs finally became such that he determined to disregard his instructions, and on signing the bill taxing the Proprietary estates, he was voted a thousand pounds, a like sum on approving the bill re-emitting paper currency without a clause protecting the Proprietary interests, and another like sum on approving that for recording of warrants and surveys. This course gave offence to the Proprietors, and he was accordingly recalled. The Governor had a difficult part assigned him to act — a part that his judgment evidently did not approve. He was active and judicious in concerting measures for the defence of the Colony according to the means afforded him, and maintained the dignity and decorum of the gubernatorial office.

JAMES HAMILTON, *Deputy Governor, October*, 1759, *to November*, 1763. — Upon the recall of Governor Denny, James

Hamilton was again invested with the office of Governor. Believing that the Colonies had borne more than their proportionate share of the burden in furnishing troops and money in the late war, the Prime Minister of Great Britain recommended, as he had promised to do, an appropriation to satisfy this excess of expense. Two hundred thousand pounds per annum for five years was voted to the Colonies, the share of Pennsylvania being twenty-six thousand pounds.

During the fall and winter of 1759–60 the Cherokee Indians, who were very strong in the South, commenced hostilities. The militia, under Governor Littleton, of South Carolina, was led against them with some success; but not being in sufficient force to intimidate, it only served to embitter the savages and stir them to more desperate deeds of butchery. A detachment of the British army, led by Colonel Montgomery, was sent to subdue them, but suffered disastrous repulse. In May of the following year, Colonel Grant was dispatched against them with a strong force, who defeated them in battle, burnt their towns, and ravaged their territory, compelling them to sue for peace.

During the winter of 1760 the French made extraordinary efforts to recover what they had lost in the previous campaign. But in this they were unsuccessful, and General Amherst, who had succeeded to the command of the British army, gathering in the forces from Quebec and from lakes Champlain and Ontario, appeared before Montreal, where the French army was concentrated, and demanded its surrender. Seeing that resistance would be unavailing, the French yielded to the demand, and Montreal, Detroit, and all other strongholds in Canada submitted to English rule.

On the 25th of October, 1760, George II. died, and was succeeded by his grandson, George III. Early in the year 1762, war was declared between England and Spain, the latter being shortly after joined by France. The city of Philadelphia was wholly without defence, and lay exposed to the visits of the enemy's privateers. Governor Hamilton convened the Assembly, which voted the sum receivable from

Great Britain, for preparations to meet the threatened danger, and five thousand pounds additional, for erecting a fort and mounting it with cannon on Mud Island, at the mouth of the Schuylkill. But the war was of short continuance, peace being concluded in November, 1762, by which Nova Scotia, Canada, Louisiana to the Mississippi, and Florida, were given up to Great Britain.

The native tribes beheld this sudden expansion of power and influence with concern. The English were everywhere encroaching upon their pleasant seats and hunting-grounds, and pushing them farther and farther towards the setting sun. To stem the tide, and, if possible, recover their country, the Shawanese and the tribes upon the Ohio formed a secret league, under Pontiac, a famous chief of the Ottowas, and planned to strike a sudden and concerted blow along the whole frontier. It fell in the spring of 1763. Unsuspicious of any danger, the settlers were busy in their fields. Stealing upon them unawares, the savages shot down and murdered them without mercy. The whole line of the frontier was ablaze with the torch and musket of the savage. Forts Le Bœuf, Venango, Presque Isle, La Ray, St. Joseph's, Miamis, Ouachtanon, Sandusky, and Michilimackinack, were simultaneously assailed, and fell into the hands of the Indians, the garrisons being mercilessly slaughtered. Fort Pitt, Niagara, and Detroit were able to hold out, but having only weak garrisons, could afford no protection to the wide territory around them. The slaughter along all the border was indiscriminate, and the weak settlements one after another were broken up, until Shippensburg, Cumberland County, became the outpost of civilization. "The savages," says Gordon, "set fire to houses, barns, corn, hay, and everything that was combustible. The wretched inhabitants, whom they surprised at night, at their meals, or in the labors of the fields, were massacred with the utmost cruelty and barbarity, and those who fled were scarce more happy. Overwhelmed by sorrow, without shelter or means of transportation, their tardy flight was impeded by fainting women and

weeping children. . . . In the towns, every stable and hovel was crowded with miserable refugees, who, having lost their houses, their cattle, and their harvest, were reduced from independence and happiness to beggary and despair. The streets were filled with people; the men, distracted by grief for their losses, and the desire of revenge, were poignantly excited by the disconsolate females and bereaved children who wailed around them. In the woods for some miles on both sides of the Susquehanna, many families, with their cattle, sought shelter, being unable to find it in the towns."

Colonel Armstrong, collecting a force in Cumberland County of three hundred volunteers, advanced upon Muncy and Great Island, destroying their towns and stores; but the savages withdrew before him. Fort Pitt, which had for some time been surrounded and cut off from communication with the Government, was repeatedly attacked by musketry, and flaming arrows. But still the garrison held out. At length, General Armstrong sent Colonel Bouquet for its relief. Fort Ligonier, beyond the Alleghanies, was reached in safety, and a party of thirty trusty men was dispatched in advance, who pushed past the savage warriors at night and entered Fort Pitt with intelligence that succor was approaching, to the great joy of the garrison. But the main body was attacked near Bushy Run, on the 5th of August, 1763, and before the commander was aware of the presence of a foe, he found himself surrounded and hard-pressed on all sides. Gallantly did the little body of less than four hundred men face the enemy; but with equal resolution did the savage warriors press upon them. Utter destruction seemed inevitable. Finally, Bouquet laid an ambuscade. He ordered a part of his force to steal away, as in retreat, while the main body was disposed so as to fall upon the Indians should they attempt to follow. The savages eagerly fell into the snare, and were routed with great slaughter, when Bouquet moved forward to Fort Pitt unmolested.



John Penn

JOHN PENN, *Deputy Governor, November*, 1763–1771. — In November, 1763, Governor Hamilton was superseded by John Penn, son of Richard Penn, who had come to the Colony in 1753, and had acted as President of the Council. During the fall and early winter following the Pontiac war, the condition of the Province along the frontier was deplorable. Notwithstanding the utmost vigilance of the inhabitants who had enrolled themselves as Rangers, many a hearthstone was laid waste. The Moravian and other friendly Indians were strongly suspected of treachery. Not that they themselves were guilty of the outrages, but receiving guns and ammunition, they traded them to the hostile roving bands. On strong representations made to the Government, after investigation by the Assembly, the Indians at the towns of Nain and Wechquetank were removed to Philadelphia.

Contiguous to the Scotch-Irish settlements of Donegal and Paxton, in what was then Lancaster County, was the Indian village of Conestoga, consisting of a score of men and women. They were a miserable set of savages; but Governor Penn, notwithstanding the earnest request of Colonel (Rev.) John Elder and John Harris, failed to remove them. Indian marauders and assassins were traced by Colonel Elder's indefatigable Paxton Boys, or Rangers, to Conestoga, and as no assistance or protection could be had from the government, they took measures to destroy every one. A number escaped, and were placed by the magistrates in the work-house at Lancaster for protection; but their retreat was broken into by the infuriated populace, and they met the fate of their brethren. In the destruction of the Conestogas several well-known, blood-thirsty savages lurking there were killed.

This act of the frontiersmen, which aided eventually in giving peace to the borders, caused intense excitement in the interior counties, and Governor Penn issued several proclamations, offering rewards for the chief actors in that affair.

Meetings were held on the frontiers to protest against the measures of the Government, and delegates were appointed

to proceed to Philadelphia and lay before the Governor and the Council a statement of the condition of the inhabitants. The news of the coming of these representatives, augmented by numbers from Berks and the adjoining counties, created an alarm, and their object being misunderstood, the militia was called out.

The Moravian Indians were removed to Province Island, and placed under heavy guard; but feeling insecure, they asked to be sent to England. Governor Penn sent them for this purpose to New York; but the Governor of that Colony refused to allow them to enter his dominions, and Governor Franklin of New Jersey would not grant them permission to remain in his. They were obliged thus to return to Philadelphia, where they were placed in barracks for protection. The Paxton Boys, being then at Germantown, a committee, of which Franklin was a member, was sent by Governor Penn to confer with them. The majority of them, after some persuasion, returned to their homes, leaving Matthew Smith and James Gibson to plead their cause, who said in justification of their conduct, "That whilst more than a thousand families, reduced to extreme distress, during the last and present war, by the attacks of skulking parties of Indians upon the frontier, were destitute, and were suffered by the public to depend on private charity, a hundred and twenty of the perpetrators of the most horrid barbarities, were supported by the Province, and protected from the fury of the brave relatives of the murdered." * Prosecutions were commenced against some of the parties to the outbreak, but so many were implicated, and so excellent the character of many of them, that no convictions were ever secured. There were two policies advocated in the Colony towards the Indians at this time, which were in direct antagonism. "Whilst one party was laboring to destroy by fire and sword a perfidious and ferocious enemy, the other was striving to conciliate an offended friend." To attempt to pursue both of these policies at once could but result disastrously.

* Gordon, p. 408.

The British Ministry determined to prosecute the campaign of 1764 against the Indians with vigor along all the frontier. Pennsylvania was called on for one thousand troops. The Assembly voted fifty thousand pounds; but a difference of opinion arising respecting the interpretation of the agreement formed by the Proprietors with Franklin relative to assessments, the Governor withheld his assent to the bill, and the Assembly was finally forced, by the exigencies of the case, to modify it so as to meet his views; but adopted a series of resolutions condemnatory of the course of the Proprietors, and concluding, that, for the reasons set forth, "It was the opinion of the House, that the powers of government ought, in all good policy, to be separated from the power attending that immense property, and lodged where only they could be properly and safely lodged, in the hands of the king." After passing these resolutions, the House determined to adjourn to consult the people whether an address should be drawn praying his Majesty to take the Province under his immediate protection and government. After an interval of fifty days the Assembly again convened, and petitioned the king to assume the direct government of the Province, though upon the adoption of this policy, strong opposition was made by the venerable Isaac Norris, John Dickinson, and a few others. The Quakers, as a denomination, favored the change, and sent up a petition from their body urging it. In the elections which followed the sittings of this Assembly, a reaction seems to have taken place, and some of the old members, who had advocated the change, were defeated, among them Franklin; still there was a majority which favored it.

On the 7th of July, 1765, Governor Penn again declared war against the Shawanese and Delaware Indians, who had been practising hostilities with great barbarity, and early in August, Colonel Bouquet, with the Pennsylvania troops, started from Carlisle for Fort Pitt. By the 3d of October he had reached the forks of the Muskingum, a tributary of the Ohio, the very heart of the Indian territory, where were

their finest villages and most fruitful fields, the fairest of their possessions. So fearless and rapid were the movements of Bouquet, that the savages were everywhere stricken with terror, and they soon came as suppliants, suing for peace and begging that their homes might be spared. Terms of pacification were concluded, by which they agreed to abstain from hostilities until a formal treaty could be concluded with Sir William Johnson, agent of Indian Affairs in America, and to deliver up all the white captives who had been carried away during the several years of hostility. "Two hundred and six prisoners, men, women, and children," says Gordon, "were restored, many of whom were joyfully received in the camp by their relations, who had joined the army with the design of redeeming them from slavery or avenging their deaths. Some of the captives had dwelt long enough with the Indians to acquire a taste for their wild and simple life, and to inspire their masters with ardent affection. Force was necessary in several instances to bring the prisoners to the camp, where their captors, with cheeks bedewed with tears, delivered them to their countrymen, loading them with corn, skins, and other property, bestowed upon them whilst in the Indian families. On the return of the army, some of the Indians obtained leave to accompany their former captives to Fort Pitt, and employed themselves in hunting and carrying provisions for them on the road." Pledges were also given for the delivery of all captives held by these tribes, many of whom had become widely scattered and could not be immediately reached.

But there was another subject at that time under consideration in the British Parliament, which, in its bearing upon the Colonies, overshadowed every other. It was that of taxing them. As early as 1739, Sir William Keith had proposed to realize funds for the support of troops to defend the frontiers by a duty to be laid by Parliament, in all the Colonies, on stamped paper. The revenue likely at that time to accrue from such a duty was too insignificant to merit serious consideration; but the power and resources displayed

by the Colonies in the late war had excited the attention of the Ministry, and, near the close of the year 1763, Mr. Grenville, the British minister, communicated to the agents of the Colonies his intention of drawing revenue from them by means of stamp-duty. The Colonies, on being informed of this, remonstrated against it. Laying this plan aside for the time, Grenville imposed a tax on imports, and required that it should be paid in gold and silver. This proved onerous and especially destructive to commerce. In October, 1765, the Assembly of Rhode Island submitted a proposition to the several Assemblies, for obtaining the views held in all the Colonies upon the subject of Parliamentary taxation, with a view to uniting in a common petition to the British Government. This was favorably received and acted on by the Assembly of Pennsylvania. But not content with petition, the Assembly determined to send an agent familiar with the subject to represent its interests at Court. Franklin was selected for this duty, though his appointment was vigorously opposed by the friends of the Proprietors, on account of his advocacy of a transfer of the government of the Colony to the Crown.

On the 22d of March, 1765, the obnoxious Stamp Act — that infringement of prerogative which gave occasion to the American Revolution and the ultimate independence of the Colonies — was passed. It excited intense opposition, and, led by the persuasive eloquence of Patrick Henry, the Virginia Assembly passed resolutions asserting the exclusive right of the Colony to levy taxes. The purposes expressed in these resolves were generally concurred in by all the other Colonies. In view of the threatening attitude of affairs, the Assembly of Massachusetts proposed a meeting of committees from all the Colonial Assemblies in a general Congress at New York, on the second Tuesday of October, 1765. To represent Pennsylvania, Messrs. Fox, Dickinson, Bryan, and Morton were appointed, and resolutions for their guidance were passed, firmly but respectfully declaring that when his Majesty shall require aid from the Colony to be levied in a constitutional manner, it will be cheerfully given, and that

taxation by any other power than that of the representatives of the people in assembly met is unconstitutional.

The Stamp Act was to go into operation on the 1st of November. Agents for the sale of the stamps had been appointed and stamps forwarded; but the people everywhere resolved not to use them. The newspapers on the last day of October were dressed in mourning, and on the following day their issue was suspended, their publishers resolving not to use the stamped paper required. The people determined to dress in none but cloth of their own manufacture, and, to increase the yield of wool, resolved not to eat lamb during the year. According to appointment, the Congress of the Colonies met on the second Tuesday of October, 1765, at New York, and a petition to the King and a memorial to Parliament were drawn, setting forth the grievances of the Colonies by reason of recent Parliamentary enactments, which were signed by the members and forwarded for presentation to the agents in Europe. The refusal of the people to use any but American goods bore grievously upon British manufacturers, and they soon became clamorous for the repeal of the odious Act. Franklin, before a committee of Parliament, testified to the impossibility of collecting such a tax, and it was finally, on the 18th of March, 1766, repealed. The tidings of the repeal were received in Philadelphia with demonstrations of joy, the Assembly dining with the Governor, and joining in a *fête*, in honor of the event, on the banks of the Schuylkill.

Though yielding for the time to the opposition of the Colonies, the British Government by no means relinquished the idea of taxing America. Charles Townsend had boasted that he knew a way to draw a revenue from the Colonies without exciting opposition, and brought forward, in 1767, an act imposing a duty on tea, glass, paper, and painter's colors, which was triumphantly carried. On the 20th of February, 1768, the Assembly of Pennsylvania instructed its agent in London to urge the repeal of this Act, and at the session in May a circular letter, received from the Massachu-

setts Assembly, setting forth the grounds of objection to the Act, was received and entered upon its minutes. This circular gave great offence to the British ministry; and the secretary for foreign affairs, the Earl of Hillsborough, wrote to Governor Penn, to urge the Assembly to take no notice of it, but if that body was disposed to countenance and approve the sentiments it contained, to prorogue its sittings. This letter was laid before the Assembly and read, and immediately thereafter the speaker presented one from the Virginia Assembly, recommending a union of the Colonies in opposition to the proposed measures of taxation. This recommendation was adopted, and a committee was appointed to prepare a petition to the King, and to both Houses of Parliament, asking their repeal. In these documents complaint was particularly made against the provision which made the Colonial Judges and Governors dependent for their pay upon the Crown, instead of the Assemblies. The unanimity of feeling in the Assembly in opposition to these enactments was strengthened by a series of papers known as the *Farmer's Letters*, written by John Dickinson. They became very popular, and were republished in all the Colonies. Apprehending that it was the amount of tax, and not the principle, which was objected to, Parliament, in 1769, reduced it to one-sixth its original amount, and in 1770 abolished the tax altogether except three pence a pound on tea. But in this, Parliament entertained a mistaken view, for it was the principle that was obnoxious; and the Assembly of Pennsylvania instructed its agent in London to urge the entire repeal of the law, that it might not be a precedent for future oppression.

The authorities of Connecticut, as has already been stated, maintained that, by the terms of its charter, the western boundary of its territory was the Pacific Ocean. This seemingly preposterous claim was borne out by the language of the original grant, which embraced the territory between the fortieth and forty-sixth degree of latitude, and from ocean to ocean; and though the boundaries of Pennsylvania were now

well defined, the grant to the Plymouth Colony ante-dated it. Under a vague apprehension that the rights conferred by the original charter could be maintained, emigrants from Connecticut settled in the Wyoming Valley, and under a purchase made of these lands from the Indians, at the council held at Albany in 1754, a party of Connecticut people of some standing and influence, one of them an ex-Governor, formed a company, known as the Susquehanna Company, to settle them. But these lands had already been purchased of the Indians by the Proprietors of Pennsylvania, and in their name remonstrances were made, against the claims of the Susquehanna Company, to the Governor of Connecticut. The answer to the earliest of these remonstrances seemed to disown any responsibility on the part of the government of Connecticut in maintaining these claims; but it subsequently appeared that a determination had been formed to support them. In 1768, the Proprietors of Pennsylvania purchased of the Indians all that tract of country on which the Susquehanna Company had settled, and laid out the Wyoming territory into manors, upon which many families received permission to settle. The pioneers of the two States now began to come in conflict. Forts and block-houses were built, and a petty warfare maintained, which resulted in some loss of life. It was proposed by Butler, the leader of the Connecticut party, to settle the dispute by the personal combat of thirty picked men on each side; but this barbarous offer was declined. In the meantime, to bring the Territory more immediately under Pennsylvania jurisdiction, a new county was organized out of parts of the counties of Lancaster, Cumberland, Berks, Northampton, and Bedford, covering the disputed ground, which was called Northumberland; but the sheriff, with the help of the militia, which he called to his aid, was unable to subdue the opposing party, which had a justice and civil officers of its own, and had also set up town and county organizations. To the protestations of Governor Penn, Governor Trumbull answered that the Susquehanna Company was acting in good faith under a Connecticut char-

ter, based upon the original grant of the Crown to the Plymouth Colony, and that he was desirous of having the rights of the two Colonies under their respective grants tested by due course of law. Upon a statement made by the Connecticut party to Counsellors in London, an opinion was obtained favorable to that Colony, and, encouraged by this advice, a new impulse was given to emigration to the Wyoming country by Connecticut families. In September, 1775, the matter was laid before the Continental Congress, and a committee of that body, to whom it was referred, decided in favor of the Connecticut claimants, giving to that State a tract of land in Pennsylvania nearly as large as the entire limits of the former. This decision was instantly rejected by the Assembly of Pennsylvania, and it remained an open question until 1802, when the Congress of the United States decided in favor of Pennsylvania, and it was forever put to rest.

JAMES HAMILTON, *President of the Council.* — Early in 1771 Governor Penn was called to England by the death of his father, Richard Penn, leaving the government of the Colony in the hands of the Council, of which James Hamilton was president, who thus for a third time became in effect Governor. The Council was forbidden by the fundamental law to approve any act of Assembly, so that no legislation was had during the period that the Colony was without a lieutenant governor. James Hamilton was born in the city of Philadelphia in 1710. He was possessed of a large landed estate, which gave him a personal interest in advancing the material welfare of the Colony. But in the discharge of his duties, he scrupulously adhered to the instructions of the Proprietors, which brought him in conflict with the popular party. His several administrations were marked by ability and firmness, and his personal bearing was that of one who felt the dignity of his position, and duly appreciated the respect which was due to the office. He never married. He died in the city of New York on the 14th of August, 1783, aged seventy-three.

## CHAPTER VIII.

### THOMAS AND JOHN PENN, PROPRIETORS, 1771–1776.

RICHARD PENN, *Lieutenant Governor, October*, 1771, *to August*, 1773.—On the 17th of October, 1771, Richard, the second son of the late Richard Penn, arrived in the Colony, bearing the commission of Lieutenant Governor. Early in his administration his attention was called to the encroachments of the Susquehanna Company, and he conducted the negotiations as already detailed with singular moderation and judgment.

At a point about six miles above Wyoming, the Christian Indians had built up quite a populous village called Wyalusing. It had a good number of respectable log houses with shingled roofs and glazed windows; a church, and schoolhouse; besides numerous huts and cabins of less pretentious appearance. Large tracts of meadow and upland had been cleared and enclosed. The site was pleasant, and the soil excellent for cultivation. Governor Penn had promised that no settlements should be made within five miles of their lands, and they were looking forward to a period of prosperity and quiet. These, with the Moravian Indians, had, with great difficulty, been preserved from the frenzy of the "Paxton Boys," and the dangers from this source had scarcely passed, when the encroachments of the Connecticut adventurers again excited alarm. The hostile demonstrations which followed so aroused their apprehensions, that, in 1773, they determined to move in a body to lands beyond the Ohio River, Abo, their representative before the Pennsylvania Assembly, saying, that, "Notwithstanding their sincere and unshaken attachment to the Government of the Province, as they were



Rich.d Penn

not expert at salving appearances, they could not but be afraid that their innocence and complexion would stand little chance against the suspicious insinuations that are, or may be conceived, and laid against them, from the indifferent neighborhood in which they lived. They thought it high time, therefore, that they should retire to some Indian country."

The administration of Richard Penn only extended to a period of a little less than two years. His intercourse with the Assembly was of a kind and conciliatory character, in marked contrast with the intemperate contests maintained with that body by some of his predecessors. Differences arose; but they were discussed in a mild and manly way, and mutual concessions brought harmony. He was especially attentive to the commercial interests of the Colony, and during his administration a degree of unexampled prosperity prevailed. His commission was unexpectedly revoked in August, 1773, much to the regret of the people of the Colony and to himself.

Richard Penn was born in England, in 1734. He married Miss Polly Masters, of Philadelphia. In person, he was of portly and commanding presence, of genial temper, a good liver, and inclined to sociality. Of all the Deputy Governors he was best fitted by nature and by education to win the approval of the popular will. On being superseded as Governor, he became a member of the Council and Naval Officer of the Colony. He was intimate with the members of the Continental Congress, whose confidence and esteem he gained by his liberal views, and when, in 1775, he returned to England, he was intrusted, in connection with Arthur Lee, with the last petition from the Colonies ever presented to the King. He was examined respecting American affairs at the bar of the House of Lords, and gave testimony so favorable to the Colonial cause, that he incurred the displeasure of the Peers, and drew forth a strong rebuke from the Ministers, Lord Lyttleton declaring, "With all the caution with which Mr. Penn guarded his expressions, he nevertheless

betrayed through the whole of his examination the indication of the strongest prejudice." He died on the 27th of May, 1811, aged sixty-seven.

JOHN PENN, *Deputy Governor*, *August*, 1773 *to* 1776. Upon the return of John Penn to the Province, after an absence of two years, he superseded his brother Richard in the gubernatorial powers. His attention was early directed to the dangers of Indian hostilities on the Western border. Incited by a robbery said to have been committed by the savages, two daring frontiersmen, Cresap and Greathouse, had taken upon themselves to inflict punishment, and at the head of their clansmen had fallen upon hunting parties of the natives, striking down without mercy men, women, and children. Among these fell the family of Logan, a chief, renowned for his spirit and native eloquence. Governor Penn, on being apprised of these horrors, dispatched messengers to the tribes affected, disclaiming all responsibility for these lawless acts, and promising to bring the perpetrators to justice. This prompt action of the Governor had the effect to avert hostilities.

At about this time, Lord Dunmore, Governor of Virginia, issued his proclamation laying claim to a large tract of territory west of the Alleghanies, in the name of the King, including Pittsburg and the Monongahela Valley. Many of the Virginia Colony had settled upon these lands, claiming the protection of the Governor of that Colony. Some time previous the British troops, occupying Fort Pitt, had been withdrawn, and now one Connolly had taken possession of it in the name of Dunmore. Governor Penn promptly called to his aid Sir William Johnson in quieting the Six Nations, and himself issued a counter-proclamation requiring settlers within the limits of Pennsylvania to preserve their allegiance to his rightful authority, and summarily arrested and imprisoned Connolly. He also sent two agents to Williamsburg to remonstrate with the Virginia Government upon the unwarrantable pretensions of the Governor. Dunmore refused to hear them, and was preparing to assert his authority by

force; but his Council, better instructed than himself in the rights of the two Colonies, refused to give him money for raising and arming troops, and his ill advised scheme of conquest was abandoned.

The non-importation agreements of the Colonies seriously affected the interests of the great East India Tea Company, their expenditures having been great, and their profits now seriously impaired. Upon application to Parliament for relief, the export duty was removed, and the Company was encouraged to ship freely to all the Colonies. News of this action created much excitement throughout America. Meetings were held in the capitals and chief towns, to oppose the sale of the tea, as the deliberate purpose of Parliament to establish the principle of taxation was seen in this act. At a meeting held in Philadelphia on the 18th of October, 1773, spirited resolutions were passed, in which it was asserted, "That the disposal of their own property is the inherent right of freemen; that there can be no property in that which another can, of right, take from us without our consent; that the claim of Parliament to tax America, is, in other words, a claim of right to levy contributions on us at pleasure. . . . . That whoever shall directly or indirectly countenance this attempt, or in any wise aid and abet, in unloading, receiving, or vending the tea sent, or to be sent out, by the East India Company, while it remains subject to the payment of a duty here, is an enemy to his country." Of the ships dispatched, those destined for Philadelphia and New York, on approaching these ports and learning the temper of the people, wisely turned back, and returned to England. That sent to Charleston was unladen, and the tea stored in a damp warehouse where it rotted; and the vessels sent to Boston were boarded by parties disguised as Indians, who opened over three hundred chests and poured the tea into the water, proclaiming "Boston harbor a tea-pot to-night." This unanimity of feeling and action was secured through committees of correspondence, appointed earlier in the year. The conduct of the Colonies exasperated the Ministry, and as the inhabitants of

Boston had committed an overt act, its vengeance was directed against them. Their port was closed, the Colonial charter was in effect subverted, and persons guilty of capital offences could be transported to England for trial.

The harsh measures adopted towards the Massachusetts Colony, and especially towards the town of Boston, excited deep sympathy in all the Colonies. A public meeting was held in Philadelphia, at which an address to the sufferers by these severe measures was adopted, in which was recommended the calling of a congress of deputies from all the Colonies, where means should be devised for restoring harmony, and promising, that "the people of Pennsylvania would continue firmly to adhere to the cause of American liberty."

On the 18th of June, 1774, the Governor having refused to convene the Assembly to consider this question, another public meeting was called, at which nearly eight thousand people were present, and John Dickinson and Thomas Willing presided. At this meeting it was declared by resolution, that it was expedient to convene a Continental Congress, and a committee of correspondence was appointed to open communication with similar committees in the several counties and in other colonies, and provision was made for the appointment of deputies to the proposed Congress. This committee of correspondence summoned delegates from all the counties to represent the Colony in a general conference which was held on the 15th of July, 1774, over which Thomas Willing presided, and Charles Thomson acted as Secretary. In this conference it was resolved, first of all, that their allegiance was due to George III., that they desired the restitution of the ancient harmony with the mother country, and that there was an absolute necessity for a Colonial Congress. The members of this conference, feeling that they were the last and immediate representatives of the people, issued instructions to the Assembly, and recommended that suitable delegates should be appointed to the general Congress. These instructions were drawn by John Dickinson, and were con-

ceived in a spirit of calm justice and reason. They were adopted by the Colonial Assembly, and Joseph Galloway, speaker, Samuel Rhoads, Thomas Mifflin, Charles Humphries, George Ross, Edward Biddle, and John Dickinson, in compliance with the recommendation of the conference, were appointed delegates.

On the 4th of September, 1774, the first Continental Congress — that body which became so famous, and whose deliberations resulted in such far-reaching consequences — assembled at Philadelphia. Peyton Randolph, of Virginia, was elected president, and Charles Thomson secretary. The Acts of Parliament oppressive to the people of Massachusetts and the town of Boston were condemned, and it was declared "that no obedience was due from that Province to such Acts, but that they should be rejected as the attempts of a wicked administration." It was also resolved that no more goods be imported from England, and that after the 10th of September, 1775, the Colonies cease to export the products of the soil unless a pacification be secured. The provisions of the resolutions thus adopted were as sacredly observed throughout the Colonies as would have been the most binding enactments. Committees of correspondence were appointed in every colony, through which the central power was administered. A declaration of rights, based upon the instructions of the Pennsylvania convention to the Assembly, was adopted; also an address to the people of Great Britain, one to the people of British America, and another to the King, after which the Congress adjourned, having recommended that another session be held in Philadelphia on the 10th of the next May.

The recommendations of Congress were approved by the Assembly of Pennsylvania, and Messrs. Biddle, Dickinson, Mifflin, Humphries, Morton, and Ross were appointed delegates for a second meeting of that body, and, subsequently, upon the return of Franklin from London, he was added to the delegation, with James Wilson and Thomas Willing. Without manifesting partisan zeal, Governor Penn was

believed to sympathize with the Colonies, though in his message to the Assembly at this time he mildly remonstrated against the system of Congressional rather than Colonial action. The King, on the receipt of the loyal address of Congress, was disposed to regard it as proper and kindly; but the Ministry had resolved upon forcing submission, though remonstrated against by the merchants and business men of all the principal towns as ruinous to their interests.

A second Provincial convention was held in Philadelphia towards the close of January, of which Joseph Reed was President. The action of Congress was approved by this body also, and it was resolved that the county committees of superintendence should aid each other in every way possible; that the restoration of harmony was earnestly desired; that the commercial non-intercourse resolves should be scrupulously adhered to; but concluded, "that, should the humble and loyal petition of Congress to his Majesty be disregarded, and the British Ministry, instead of redressing their grievances, determine by force to effect submission to the late arbitrary acts of Parliament, they deemed it their indispensable duty to resist such force, and at every hazard to defend the rights and liberties of America."

On the 19th of April, 1775, was fought the battle of Lexington, the first blood spilled in the Revolution. By this, the opening act of the drama, was plainly manifested the determination of the Ministry to force the Colonies to subjection. It created intense excitement throughout all the Colonies. A meeting of citizens was convened in Philadelphia, at which thousands were present, and a resolution adopted to form a military association, under the direction of the committee of correspondence for defence. The association was extended through all the counties, and the organization of militia was prosecuted with much spirit. The Assembly approved of this popular demonstration, and engaged to provide for the pay of the militia while in service. The second Congress, which met in May, resolved to organize an army for defence, the number to be raised in Pennsyl-

vania being four thousand three hundred men. The Assembly entered heartily into this measure and recommended to the Commissioners of the several counties to provide arms and accoutrements for this force, advised the organization of minute-men trained to seize their arms at the instant of danger and fly to the rescue, made further appropriations for the defence of the city, and, to encourage its manufacture, offered a premium for saltpetre. The Assembly also appointed a committee of public safety, empowered to call the troops into service and provide for their pay, and resolved that all persons between the ages of sixteen and fifty, who did not associate for the defence of the Colony, ought to pay an equivalent for the time spent by the associators in acquiring military discipline. On the 10th of May Ticonderoga was captured, and on the 17th of June the famous battle of Bunker Hill was fought. Two days before this, George Washington was appointed Commander-in-Chief of the American armies. Four Major-Generals and eight Brigadier-Generals were also appointed.

Congress, soon after meeting in May, recommended "to the respective Assemblies and Conventions of the United Colonies, where no government sufficient to the exigencies of their affairs has been hitherto established, to adopt such government as shall, in the opinions of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general." This was, in fact, dispensing with the royal Governors, and such Assemblies as did not act with the party opposing the Crown.

A few days after this recommendation was made, a public meeting was held in Philadelphia, in which it was resolved that the present Assembly of the Colony is "not competent to the exigencies of affairs," and that a Provincial Convention ought to be called for inaugurating a form of Colonial government, in compliance with the recommendation of Congress. The committee of inspection for the city, accordingly, called on the committees of the counties to send delegates to

a conference for this purpose, and on the 18th of June, 1776, the delegates assembled in Philadelphia and elected Thomas McKean president, provided for holding a convention of delegates, eight in number from each county, to frame a constitution and inaugurate a new government suited to the present condition of the Colony, fixed the qualifications of voters, prescribed the form of oath to be administered to electors and delegates, apportioned the counties into election districts, appointed the election judges, and issued a brief, but patriotic and persuasive address to the people.

The idea of a formal declaration of independence by Congress was now freely canvassed. The Assembly of Virginia, on the 15th of May, had recommended it. The Assembly of Pennsylvania was reluctant to sever the bonds of union with the parent State, but instructed its delegates, on the 14th of June, to unite with the other Colonies in legislating for the common good, only reserving the right to regulate its own internal affairs, and, in conclusion, made this frank declaration: "The happiness of these Colonies has, during the whole course of this fatal controversy, been our first wish, their reconciliation with Great Britain our next. Ardently have we prayed for the accomplishment of both. But if we renounce the one or the other, we humbly trust in the mercies of the Supreme Governor of the Universe, that we shall not stand condemned before His throne if our choice is determined by that overruling law of self-preservation which His divine wisdom has thought proper to implant in the hearts of His creatures." The Conference, which had provided for a constitutional convention, approved the idea of declaring independence, and authorized the raising of six thousand militia. The Assembly had been prevented from legislating to the same effect by the continued absence of its members.

On the 7th of June, Richard Henry Lee, of Virginia, seconded by John Adams, of Massachusetts, brought forward in Congress the proposition, that the "United Colonies are, and of right ought to be, free and independent States, and

that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." It was debated most ardently and eloquently, John Dickinson, of Pennsylvania, one of the ablest and purest of the patriots, opposing, for the time, its passage, urging, as an objection, the disorganized condition in which the Colonies would be left if the British protection and power were removed, Province being left to rise against Province, and city against city. The proposition was passed upon, on the 2d of July, the votes of all being in favor of its adoption except Pennsylvania and Delaware, the votes of the delegates from these States being divided. In the meantime, a committee of five, consisting of Jefferson, Adams, Franklin, Sherman, and Livingston, had been appointed to draw up a more formal instrument. Jefferson and Adams were appointed as a sub-committee to make the draft; and the immortal instrument, drawn by the hand of Mr. Jefferson, was reported on the 28th of June, and, after a sharp debate, was finally adopted on the 4th of July, 1776. From Pennsylvania, Franklin, Wilson, and Morton voted for it, Willing and Humphrey against it, Dickinson being absent. The Pennsylvania convention being informed that a majority of its delegates in Congress had voted against the preliminary declaration, named a new delegation on the 20th, omitting Dickinson, Willing, and Humphrey, reappointing the three who had voted for the declaration, Morris, who had been absent, and appointing five new members, Rush, Clymer, Smith, Taylor, and Ross. The engrossed copy which was subsequently made was signed by them.*

The Convention for framing a new constitution for the Colony, assembled in Philadelphia on the 15th of July, and elected Franklin President. Its first act was to provide for the opening its deliberations by the performance of divine service. This Convention, in addition to the specific duty of framing a constitution for which it was elected, at once took upon itself the entire government of the Colony. The new

* Letter of Jefferson to S. A. Wells, 1819. — Randall's Life of Jefferson, Vol. I. p. 171.

Constitution was completed on the 28th of September, and, after being signed by the President and all the members, was intrusted to the hands of the Council of Safety, to be presented to the new General Assembly at its first session, and immediately after having chosen a speaker. The old Assembly adjourned on the 14th of June to the 26th of August. A quorum failed to convene on that day, and two days after, an adjournment was voted to the twenty-third of September. Little was done at this adjourned session beyond approving the report of the committee on accounts, by which a thousand pounds was voted for the salary of the Governor, and an aggregate sum exceeding eleven thousand pounds to the old provincial officers, and remonstrating against certain ordinances passed by the Convention as violations of power delegated to it; and on the 28th of September, this Assembly, which had existed for nearly a century under the organic law of Penn, ceased to exist, and the Proprietary Governor was shorn of power.

John Penn, eldest son of Richard, was born in England in 1728. At the age of twenty-five, he first visited the Colony, and ten years later, he came bearing the commission of Deputy Governor. The day of his last arrival was on Sunday, and was marked by the shock of an earthquake, which the superstitious interpreted as an evil omen to his administration. It is described as being severe, and accompanied by a loud, roaring noise, the sky being clear with a moderate wind from the south-west. At the time of his appointment as governor, his father was proprietor of one-third of the Province, and his uncle, Thomas, of two-thirds; the latter having inherited the share of John, the oldest of the three original Proprietors, upon the occasion of his death in 1746. Upon the death of Richard, father of the Governor, in 1771, the latter inherited the one-third of the Proprietary interest. In spirit he manifested little of the mild and peaceful disposition of his grandfather, but believed in supporting the authority of his government by the sword. Especially was he averse to temporizing with the Indians, and even offered,

without scruple, graduated bounties for their capture, scalping, or death. He married Anne Allen, daughter of William Allen, Chief Justice of the Colony. In person he is described as of the middle size, reserved in manners, and very near-sighted. After being virtually superseded in authority by the Supreme Executive Council, he seems to have submitted gracefully to the progress of events, which he found himself unable to control, and remained during the Revolution a quiet spectator of the long struggle, without manifesting any particular interest in its result. With other Crown and Proprietary officers remaining in America, he at several times fell under the suspicion of Congress, and orders were issued for his arrest and removal to Hunterdon County, New Jersey, and to Winchester, Virginia, but he seems to have been soon released on parole. He continued to live at his home in Bucks County, after the Revolution, where he died in February, 1795, aged sixty-seven. From his grave in Christ's Church-yard, where he was buried, his remains were subsequently transferred for interment to England.

# PART III.

## PRESIDENTS

OF THE

## SUPREME EXECUTIVE COUNCIL.



Tho Wharton jun

## THOMAS WHARTON, Jr.,

### PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL.

*March* 5, 1777, *to May* 23, 1778.

THE Provincial Convention which had been elected to frame a new Constitution, and which, upon meeting on the 15th of July, 1776, assumed the entire government of the Colony, elected, on the 24d of the same month, a Council of Safety, composed of twenty-five members, to which was committed the executive department of the Government until the new frame of the constitution about to be promulgated should be put in operation. This Council was organized by the selection of Thomas Rittenhouse as chairman, and Jacob S. Howell, Secretary. By this action the Proprietary Government was completely superseded, and the title of the Proprietors to landed estate in Pennsylvania was suspended. An estimate commenced by Thomas Penn, and completed by Franklin, in 1759, made the value of this estate about ten millions of pounds sterling. It should here be observed that the Legislature of Pennsylvania, on the 27th of November, 1779, passed an Act for vesting the estate of the Proprietors in the Commonwealth, but reserving to the Proprietors all their private estates, including the tenths of manors, and paying to them the sum of one hundred and thirty thousand pounds sterling "in remembrance of the enterprising spirit of the Founder," and "of the expectations and dependence of his descendants." In addition to this, Parliament, in 1790, granted an annuity of four thousand pounds per annum to the heirs and descendants of the Founder, "in consideration of the meritorious services of the said William Penn, and of the losses which his family have sustained." This annuity has ever since been regularly

paid, and in a reference made to it a short time ago [1872] in the House of Commons, Chancellor Lowe stated that the pension would not be discontinued.

On the 6th of August, a formal organization of the Council of Safety was effected, when Thomas Wharton, Jr., was elected President. On the 28th of September, the new constitution was completed and passed unanimously, taking effect from the date of its passage. It provided for an annual Assembly and for a Supreme Executive Council, to consist of twelve persons to be chosen by the people, and to hold office for three years. Members of Congress were to be appointed by the Assembly. Assembly men were eligible to membership but four years out of seven, and members of Council but one term in seven years. The Constitution could not be changed for the space of seven years. At the expiration of that time censors were to be elected, who were to consider whether a revision was demanded, and if so, they were to call a convention for the purpose. The Council was charged with the due execution of the laws, its powers being not materially different from those of the Council under the Proprietary Government. From the first, this instrument met with violent opposition.

On the first day of January, 1776, Washington unfurled over his camp, at Cambridge, for the first time, the Union Flag. It had thirteen stripes of alternate red and white, with the cross of St. George in the upper left-hand corner. For this cross Congress ordered, on the 14th of June, 1777, thirteen white stars in a field of blue to be substituted, and this design became the emblem of nationality. The Continental Congress, before the close of the year 1775, had agreed upon certain articles of war, declared the cause for which arms had been taken up, and had issued bills of credit for prosecuting the war to the amount of six millions of dollars. The Parliament of Great Britain had, on the other hand, declared the Colonists rebels; had authorized the seizure or destruction of American vessels; had voted a force of fifty-five thousand men for compelling obedience to its man-

dates in America, with over a million of dollars for their pay; and had, in addition to these, hired from the Landgrave of Hesse-Cassel, and other German rulers, seventeen thousand men, agreeing in their absence to defend these States, and paying for them over eight hundred thousand dollars. All this was done while yet the Americans were supplicating for terms of reconciliation in the most respectful and earnest tones. These acts, however, had the effect to convince all thinking men, that there was but one alternative, either a slavish submission or a bitter and wasting struggle.

Washington, who, from the moment of taking command, had been busy in organizing and gathering in his forces, determined to drive the enemy from Boston. To this end he sent forces under General Thomas, under cover of darkness, on the night of March 4th, 1776, to a commanding position on Dorchester Heights, where, by morning, they had thrown up considerable works, and were prepared to open upon the city and the shipping in the harbor. All efforts to dislodge this force proved futile, and, seeing that destruction or capture awaited him, General Howe, the commander of the British troops, sought terms of capitulation. Upon tacit condition that he would leave the city unharmed, he was allowed to depart without injury; and on the 17th of March, eleven thousand soldiers and sailors, and a number of Loyalist families, sailed away to Halifax.

Washington, having been apprised early in the year that Sir Henry Clinton had sailed from Boston on a secret expedition, presumed its destination to be New York, and accordingly sent General Charles Lee thither to defend it. Clinton arrived off Sandy Hook in March, but finding Lee in possession of the city, withdrew, and being joined some time afterwards by Admiral Sir Peter Parker, proceeded South for the reduction of Charleston, South Carolina; and on the 28th of June opened a combined land and naval attack upon the defences on Sullivan's Island, commanding the entrance to the harbor. He was met by the Carolina militia under General William Moultrie, which had thrown up a breast-work

of palmetto logs and sand, and had twenty-six pieces of artillery mounted. For ten hours the battle raged with great violence. The Provincials stood manfully to their guns, doing terrible execution upon the British fleet. At nightfall the action ceased, and Clinton, finding his forces decimated and his little armada terribly shattered, decided to withdraw from the contest, and returned to New York.

Taught by this unfortunate experience, the British commander determined to concentrate all his forces, and strike with overwhelming power. General Howe, who had gone from Boston to Halifax, returned early in July, and proceeded directly to New York. Here he was joined by Clinton with the remnant of his army from before Charleston, and by Admiral Lord Howe with a large fleet directly from England. To this powerful combination, Washington had no adequate forces to oppose, and the events which followed were most unfortunate for the American arms. Driven from Long Island, from Harlem, from White Plains, Washington, at length, determined to withdraw in the direction of Philadelphia, and was closely pursued by Cornwallis with a heavy detachment of the British army, causing him to abandon, in succession, Newark, New Brunswick, Princeton, and Trenton, and finally to cross to the west bank of the Delaware to Pennsylvania soil. Cornwallis would have pushed forward vigorously, and constructed boats for crossing the river in pursuit; but Howe ordered a cautious policy, directing Cornwallis to wait until the ice should be frozen sufficiently upon the river to bear the troops and trains. The approach of a hostile army to the banks of the Delaware created consternation in Philadelphia. In the Council of Safety, on the 30th of November, the following order was issued: "It is no less necessary than painful, that the present movements of General Howe's army requires that we should apprise the inhabitants of this city who wish to avoid the insults and oppressions of a licentious soldiery, that they prepare for removing their wives and children, and valuable effects, on a short warning to some place of security." On the 2d of September the Council ordered all

shops in the city to be closed, and the schools to be broken up, and by the 10th, General Cadwalader, with a brigade of twelve hundred men, was on his way to join Washington's army. Congress now became thoroughly alarmed, and on the 12th, after having invested Washington with dictatorial powers, adjourned to meet at Baltimore, taking with them all the public papers, but leaving a committee behind, of which Robert Morris was chairman, to act in concert with the army for the defence of the city. On the same day Washington dispatched General Putnam, clothed with absolute power, to take command in the city.

The want of troops rendered the American commander powerless to oppose the advancing foe. In this alarming posture of affairs, the Council of Safety issued a stirring address, calling upon all able-bodied men to come to the rescue. "If you wish," say they, "to live in freedom, and are determined to maintain that best boon of heaven, you have no time to deliberate. A manly resistance will secure every blessing; inactivity and sloth will bring horror and destruction. . . . Shall we, with Heaven and justice on our side, (unless we could impiously suppose that the Almighty had devoted mankind to slavery,) shall we hesitate to meet our enemies in the hostile field? . . . May Heaven, which has bestowed the blessings of liberty upon you, awaken you to a proper sense of your danger, and arouse that manly spirit of virtuous resolution which has ever bidden defiance to the efforts of tyranny. May you ever have the glorious prize of liberty in view, and bear with a becoming fortitude the fatigues and severities of a winter campaign. That, and that only, will entitle you to the superlative distinction of being deemed, under God, the deliverers of your country."

The frequent reverses of the American arms, and the repeated retreats before a victorious foe, had caused great depression in the public mind. Washington felt deeply the humiliation, and sought earnestly for an opportunity to strike a blow that should revive confidence in the patriot cause. A detachment of Hessian troops had been posted at Trenton.

while the main body of the enemy, under Cornwallis, was at Princeton. Christmas-time was approaching. Believing that the Hessian hirelings would celebrate this festival by long potations, Washington formed the purpose of assuming the offensive, and, crossing the Delaware, of falling suddenly upon the enemy resting securely in their cantonments. Accordingly, on the evening of the 25th, taking a picked force to a point some eight or ten miles above Trenton, where now is located the village of Taylorsville, he succeeded, though the current was strong and the river filled with floating ice, in crossing in flat-boats, and in making his way unperceived to the neighborhood of the British encampment. It was already sunrise when they arrived, and the Hessian leader, Rall, was still at his cups, having spent the night in debauch. The struggle for the mastery was brief. Forty or fifty of the enemy were killed or mortally wounded, and more than a thousand were made prisoners, and marched away in the train of the victors; arms, ammunition, and stores, captured in considerable quantities, swelling the triumphal train. The victory was, in regard to numbers engaged, insignificant; but it was complete and, in its bearing upon the cause of the patriots, momentous. It inspired hope and confidence in every breast, and the daring and triumph of the American leader became the subject of eulogy in every European court. Cadwalader, who was in command of the Pennsylvania troops, had been ordered to cross and co-operate with the attacking column; but was unable to carry out his instructions on account of the force of the current and the power of the floating ice. Three days after, nine hundred of these prisoners were marched through the city of Philadelphia on their way to the prison camp at Lancaster, forming a line on Front Street two deep from Market to Walnut. Inspired by his success, Washington resumed the offensive, and moving all his forces into New Jersey, prepared to face the British troops; but too feeble in numbers to successfully cope with the main body which had approached Trenton, eluding the grasp of the confident foe, he, by a night march, descended

upon the British reserves at Princeton, and fought them with sturdy valor; but Cornwallis, warned by the booming of cannon of their peril, and grown vigilant since the late disaster, hastened to their relief, compelling Washington to withdraw. The activity and enterprise of the Americans frightened the enemy into the adoption of the most cautious policy, causing him to call in and confine his troops to their encampments upon the Raritan; while Washington, with his main body, encamped at Morristown, and sent out detachments in all directions to keep the country clear, and pick up stragglers and deserters.

This active winter campaign had the effect to relieve Pennsylvania, and enabled Congress, which had assembled in Baltimore on the 20th of December, to return again to Philadelphia. General Putnam, who had been invested with authority, had ordered fortifications to be commenced at Red Bank, on the Delaware, and at various points about the city, using for the purpose the timber upon the Proprietors' lands in the neighborhood. Upon the retreat of the enemy through New Jersey, Putnam rejoined the army, and was succeeded by General Irvine, and subsequently by General Gates, in the command in Philadelphia.

The elections having been held according to the provisions of the new Constitution, the Supreme Executive Council met on the 4th of March, 1777, and organized on the 5th, by the election, in joint convention of the members of the Assembly and the Council, of Thomas Wharton, Jr., as President, and George Bryan as Vice-President; whereupon the Council of Safety was dissolved. To impress the multitude with an adequate idea of the power and dignity of the office, the inauguration was attended with much pomp and ceremony; the result of the election being declared from the Court-House amid the shouts of the multitude and the booming of the captured cannon from the field of Trenton. The title given to the new dignitary was a long and loud resounding one: "His Excellency Thomas Wharton, Junior, Esquire, President of the Supreme Executive Council of Pennsylvania,

Captain-General and Commander-in-chief in and over the same."

Among the earliest acts of Council was the appointment of a Board of War, consisting of nine members, and one of the Navy of eleven. The Board of War immediately applied to Congress for one hundred thousand dollars for defence, which not being immediately granted, this sum was appropriated by the Council. The activity of the enemy at New York, in gathering transports and moving troops, gave indication of an intention to make a descent upon some other part of the coast, and Philadelphia was judged to be its destination. On the 8th of April, General Putnam advised Congress of the movements of the enemy at Amboy, and gave it as his opinion that the capture of Philadelphia was the purpose. On the following day the Council published a proclamation urging instant action, and concluding thus: "It has been repeatedly and justly observed, and ought to be acknowledged as a signal evidence of the favor of Divine Providence, that the lives of the militia in every battle during this just war have been remarkably spared. Confiding, therefore, in the continuance of the blessing of Him, who is indeed the God of armies, let every man among us hold himself ready to march into the field whenever he shall be called upon to do so." Congress resolved to establish a camp for recruits on the west side of the Delaware, to the command of which General Benedict Arnold was assigned, General Philip Schuyler being at this time in command in the city. On the 10th of June, General Mifflin appeared in person before Congress with a letter from General Washington, expressing his firm conviction that the enemy meditated an immediate descent upon some part of Pennsylvania. A French engineer, by the name of Du Coudray, in company with General Mifflin, was sent to examine the condition of the defences of the city and its approaches, who recommended that preparations should be made at Billingsport for the chief point of defence, the works at Red Bank being declared useless.

The blow aimed at Philadelphia did not fall till near the

close of July. In a fleet of two hundred and forty war-ships and transports, Lord Howe, with a force of eighteen thousand men, making as if he would ascend the Hudson, suddenly changed his course and steered for the mouth of the Delaware. Washington followed overland, passing through Philadelphia on Sunday, the 24th of August, and taking the road to Chester. The militia of the city, which had been divided into three classes, and the first two of which had been already called, were now ordered out entire, one detachment being stationed at Downingtown, and the other at Chester. Leaden spouts upon the houses were torn off for use in making bullets. A fleet of twelve fire-ships was held in readiness for protection on the Delaware, and every preparation made for a vigorous defence. But Howe, instead of ascending the Delaware, moved up the Chesapeake, and, debarking, commenced the march across the country by a route where no preparations had been made to check him. With the enemy's designs in full prospect, the Council put forth every effort to bring out the entire fighting force of the Colony. In a proclamation issued on the 10th, they say: "The time is at length come, in which the fate of ourselves, our wives, children, and posterity, must be speedily determined. General Howe, at the head of a British army, the only hope and last resource of our enemies, has invaded this State. . . . . Blessed be God! Providence seems to have left it to ourselves, to determine whether we shall triumph in victory, and rest in freedom and peace; or, by tamely submitting or weakly resisting, deliver ourselves up a prey to an enemy than whom none more cruel and perfidious was ever suffered to vex and destroy any people. . . . Above all, consider the mournful prospect of seeing Americans, like the wretched inhabitants of India, stripped of their freedom, robbed of their property, degraded beneath the brutes, and left to starve amid plenty, at the will of their lordly masters; and let us determine once for all, that we will *die or be free!* . . . The Council, therefore, most humbly beseech and entreat all persons whatsoever, to exert themselves, without delay, to seize this present opportunity of crushing the foe now in the

bowels of our country, by marching forth instantly under their respective officers to the assistance of our great General, that he may be enabled to environ and demolish the only British army that remains formidable in America. . . . GOD SAVE THE PEOPLE!"

Washington pushed forward with his little army. At Newark the advance guards met and skirmished lightly. Discovering that it was the design of the British commander to turn his right, he fell back behind the Brandywine, and prepared to defend the line of that stream. At Pyle's Ford General Armstrong with the Philadelphia militia was posted; Washington, in person, took position at Chad's Ford; and Sullivan at Brinton's, two miles further up. Howe laid his plans skilfully, and fortune favored their execution. He sent Knyphausen with a detachment to Chad's Ford, in Washington's immediate front, to make a noisy demonstration, as if intent to cross, while, with the main body of his army in light marching order, he pushed on up the Valley under cover of a dense fog to Trumbull's and Jeffrey's Fords, far past the American right, where he crossed without opposition. Still, Washington was deceived. Intelligence that this movement was being executed was brought him; but soon after came messengers contradicting this report, and he made all his dispositions to meet Knyphausen, who, judging by the incessant pounding that he kept up, was determined to break through and effect a crossing. Howe soon came unawares upon Sullivan, who was on Washington's extreme right. Beaten by this adroit manœuvre, the latter turned to make such a stand as he was able, with a force a third smaller than that of his adversary, and but indifferently armed and equipped; and in the neighborhood of the Birmingham meeting-house, on the 11th of September, a severe battle ensued, which lasted the whole day. General Lafayette, a young French nobleman, who had but a few days before arrived in the country, and been given a command, was here wounded, and some of the bravest of the American troops were cut down. The severely wounded were carried into the meeting-house,

and to this day the stains of blood from the wounds of the patriot-soldiers remain upon its floor. The Americans were finally forced back, and retired to Chester; the British encamping upon the field.

Washington again confronted Howe, moving leisurely towards Philadelphia, at a point twenty miles from the city, on the 16th; but was prevented from joining in a general engagement by a severe and continuous rain, which completely ruined his ammunition. At Paoli, on the night of the 20th, General Wayne, who was hanging upon the rear of the British army with a force of eighteen hundred men, was surprised by General Gray; and nearly three hundred of his men were wounded or massacred. Fifty-three of the patriots were buried in one grave, and over their remains the Republican Artillerists of Chester County, forty years afterwards, erected a monument. At Reading, considerable quantities of military stores had been gathered, and fearing that Howe might strike for their capture or destruction, Washington withdrew in that direction. Howe, being left without opposition, moved in the direction of Philadelphia, which he entered on the 26th. Washington, having reorganized his shattered army, moved forward, and on the 3d of October attacked the enemy at Germantown. At the opening of the battle, he felt sanguine of success; but hampered by a dense fog which settled down over the field, occasioning confusion in his ranks, he was at length, after a hard-fought battle, obliged to withdraw. Howe put his army in winter-quarters in Philadelphia, and Washington retired to White Marsh, and subsequently went into winter-quarters at Valley Forge.

In the meantime General Burgoyne, with an army of ten thousand men, moving up the Hudson, had captured Fort Ticonderoga on the 5th of July; the garrison, under General St. Clair, escaping. On the 19th of September, and again on the 7th of October, Burgoyne was met at Saratoga by the Americans, now under General Gates, where he suffered severely; and ten days afterwards, finding retreat impossible, his whole army was compelled to lay down its arms, and sur-

render prisoners of war. A fine train of brass field-pieces, five thousand muskets, and large quantities of much-needed munitions of war, were captured.

Congress and the Executive Council remained in Philadelphia during the exciting events that were transpiring before the city. On the 18th of September, Congress adjourned to meet at Lancaster, where it convened on the 27th; but on the 30th removed to York, where it remained in session until the following summer. The Council remained until the 24th, when — the money and papers belonging to the loan office, and the books belonging to the State, in the Philadelphia Library, having been removed to Easton — it adjourned to Lancaster. On the 26th the vanguard of the British army entered the city. Deborah Logan has left some interesting reminiscences of the event. She says: "The army marched in and took possession of the city in the morning. We were up-stairs [at the Norris mansion between Fourth and Fifth] and saw them pass the State House. They looked well, clean, and well clad, and the contrast between them and our own poor, barefooted, ragged troops was very great, and caused a feeling of despair. . . . Early in the afternoon Lord Cornwallis's suite arrived, and took possession of my mother's house. But my mother was appalled by the numerous train which took possession of her dwelling, and shrunk from having such inmates, for a guard was mounted at the door, and the yard was filled with soldiers and baggage of every description; and I well remember what we thought of the haughty looks of Lord Rawdon and the other aid-de-camp, as they traversed the apartments. My mother desired to speak with Lord Cornwallis, and he attended her in the front parlor. She told him of her situation, and how impossible it would be for her to stay in her own house with such a numerous train as composed his Lordship's establishment. He behaved with great politeness to her; said he should be sorry to give trouble, and would have other quarters looked out for him. They withdrew that very afternoon, and he was accommodated at Peter Reeves', in Second Street, near Spruce;

but it did not last long, for directly the quartermasters were engaged in billeting the troops, and we had to find room for two officers of artillery, and afterward, in addition, for two gentlemen, secretaries of Lord Howe."

The first care of the British General, after gaining possession of the city, was to complete the defensive works which had been commenced while General Putnam was in command, and to construct such others as were necessary to make its occupation secure. The Delaware below the city was still held by the Americans. Mud Fort upon Fort Island, Fort Mercer at Red Bank, and Fort Mifflin at Mud Island, still held patriot garrisons. There would be no safety to the royal army until the navigation of the river was clear for the royal fleet. Washington recognized the importance of holding these forts, and immediately sent veteran troops to garrison them. Varnum's R. I. brigade, under Colonels Greene and Angell, was selected to occupy Fort Mercer, and this the enemy attacked on the 21st of October with twenty-five hundred picked men, under Colonel Count Donop. The assaulting party moved in two columns with great gallantry and determination; but the deliberate and deadly fire of the defenders became too terrible to face, and it was swept back in confusion, with a loss of over four hundred; Count Donop, the leader, being mortally wounded. The discomfited party did not renew the attack, but withdrew rapidly to Philadelphia. To reduce Fort Mifflin and open a passage through the *chevaux-de-frise*, which had been placed in the channel, now became an object of solicitude to the commanders of both army and fleet, and the most elaborate preparations were made for its reduction by the erection of works to command it on all sides, and by the powerful guns of the fleet. On the 10th of November the enemy opened upon it, and for the space of six days the missiles of the assailants from forts and fleet were poured upon this one small defensive work. Nothing daunted, the little garrison answered with effect, and gallantly maintained the unequal contest. Finally the enemy having run close up with his gunboats, and manned the yards with

sharpshooters, it became impossible for the defenders to work their guns, when, on the night of the 16th, the garrison, having removed or destroyed everything of value, retired without molestation. Red Bank was soon after abandoned, and the river was opened to the enemy's fleet.

Before the final reduction of Fort Mifflin, Howe's army had begun to suffer from want of many articles not obtainable in the city, and which he was prevented from securing from abroad by the vigilance of Washington. The river now being opened, an active commerce sprung up, and many merchants rushed to the city to open business. The relief of his army being effected, Howe determined to attack Washington in his camp at White Marsh, sixteen miles from the city; and with fifteen thousand men, on the morning of the 4th of December, marched out, confident of easy victory, and as he himself declared, of "driving General Washington over the Blue Mountains." But Washington, through intelligence gained from the faithful Lydia Darrah, who, under pretence of passing the lines to get flour, had hastened to acquaint him with the enemy's design, was prepared to meet them, and, after a wearisome march and fruitless manœuvrings, they returned to the city.

The winter of 1777–8 was remarkably severe, and the American soldiers, indifferently clad, were subjected to extreme suffering, their footprints often marking the snow with their blood. Their camp was at Valley Forge, on the banks of the Schuylkill, twenty miles from Philadelphia. In the meantime the British army was enjoying the comforts of a luxurious city, its officers passing their time in a continued round of gayeties and dissolute living. Reconnoitring parties were frequently sent from both armies during the winter, which often met, resulting in daring and desperate encounters; but no general engagement occurred. Early in the year 1778, Lord Howe was superseded in the chief command by Sir Henry Clinton, who arrived in Philadelphia on the 7th of May. The departure of Howe was made the occasion of a gorgeous display, regatta, and tournament, in which the glitter of costly apparel, the

march of troops, and the thunder of artillery, could not have been exceeded had it been produced to signalize the triumphs of a mighty conqueror returning from countless conquests.

As early as the 22d of September, 1776, Congress had sent as ambassadors to the court of France, Benjamin Franklin, Silas Deane, and Arthur Lee, who succeeded in securing arms and money for the patriot cause, and finally in negotiating a treaty of alliance whereby substantial aid was to be extended to America. In compliance with this agreement, the French Ministry dispatched a fleet of twelve ships and four frigates, under command of Count d'Estang, to blockade the British flotilla in the Delaware. Of this determination the British Cabinet became cognizant, and instantly sent orders for the evacuation of Philadelphia. Howe at once put to sea and steered for New York, and when, on the 8th of July, D'Estang arrived at the mouth of the Delaware, he found that his adversary had escaped. The British Admiral took shelter in Raritan Bay, where, on account of the bar at its mouth, the heavy French frigates could not reach him. With his army Sir Henry Clinton moved in the same direction across the country by the way of New Brunswick and Amboy. Washington, ever on the alert, had divined the purpose of the British commander, and early put his forces in motion to follow and offer battle. The two armies met on the plains of Monmouth, on Sunday the 28th of June. The day was intensely hot. The battle was opened by the division of General Lee, which, for lack of skilful handling, was thrown into confusion and disastrous retreat. Washington met the flying column, and by his steadiness and courage restored order. After a severe battle, which lasted the whole day, the enemy was beaten, retreating during the night, having sustained heavy losses, and leaving his dead and wounded in the hands of the victors.

The Assembly and the Executive Council remained in session at Lancaster during the winter of 1777–8, and co-operated with Congress, which was at York, and Washington at Valley Forge. Legislation was principally devoted to the

interests of the army and the American cause, the most notable civil act being that by which the authority of the Trustees of the Philadelphia Academy and College were suspended for a limited time.

On the 23d of May, 1778, Thomas Wharton, Jr., President of the Council, died suddenly of an attack of quinsy, at Lancaster. He was descended from an ancient English family, one of whom, Richard, of Kellorth, in Orton parish, Westmoreland county, England, emigrated to Pennsylvania about 1683. One of his sons, John, was the father of President Wharton, who was born at Philadelphia in 1735. He was twice married: first to Susan, daughter of Thomas Lloyd; and, after her death, to Elizabeth, daughter of William Fishbourn. He had several children by each marriage, the descendants of whom are now living in Philadelphia and its vicinity. He was by profession a merchant; and by his patriotism and virtue commanded the respect and esteem of the best cultivated classes, and, when the new Constitution was adopted, he was elected as the chief executive officer, — a position which he held to the day of his death, discharging its duties in a most trying emergency with singular ability and success. To the weight of his character, and his firmness in the executive trust, was due, in a good degree, the permanence of the new Constitution, the adherence of the Colony to the patriot cause, and thus, indirectly, the success of the struggle for Independence. Some of the minor details of that frame of government may have been conceived in error; but in its bill of rights were embodied the great principles of liberty and of republican institutions, which have been the glory of the Commonwealth in succeeding time. The estimate which was formed of economy, integrity, and virtue, by the framers of that instrument, is strikingly illustrated by the following section: "As every freeman, to preserve his independence (if without a sufficient estate), ought to have some profession, calling, trade, or farm, whereby he may honestly subsist, there can be no necessity for, nor use in, establishing offices of profit, the usual effects of which are

dependence and servility, unbecoming freemen, in the possessors and expectants; faction, contention, corruption, and disorder among the people. But if any man is called into public service to the prejudice of his private affairs, he has a right to a reasonable compensation; and whenever an office, through increase of fees or otherwise, becomes so profitable as to occasion many to apply for it, the profits ought to be lessened by the legislature."

The ardent attachment which President Wharton had for the principles embodied in the new Constitution, and the unselfish motives by which he was actuated in its support, are aptly exemplified in a letter addressed by him to Arthur St. Clair soon after its adoption. The letter has never before been published, and has been furnished by his grandson, G. M. Wharton, Esq., for use in this memoir. "It is too true," he says, "that the differences amongst ourselves have been attended with bad consequences, and I am much afraid they will not soon be at an end. People have different purposes to answer; and I doubt much, if all those that are taking an active part against the present frame of government, are actuated by a love of [torn]. True it is, there are many faults which I hope one day to see removed; but it is true that, if the Government should at this time be overset, it would be attended with the worst consequences, not only to this State, but to the whole continent in the opposition we are making to the tyranny of Great Britain. If a better frame of government could be adopted,—such a one as would please a much greater majority than the present one,—I should be very happy in seeing it brought about; and any gentleman that should be thought by the public qualified to take my seat, should have my hearty voice for it. My ardent ambition never led me to expect or ask for it; if I have any, it is to be thought, and to merit, the character of an honest man. I feel myself very inadequate to the station I am in; but some that were fit for it have either withdrawn themselves entirely, or are opposing the Government. However, as it is in the power of every man to act with integrity and

uprightness, he that does that, will at least have the approbation of his own conscience, and merit that of the public." . . .

Mr. Wharton was a warm supporter of the principles of the Revolution, and risked his life and fortune in the cause. He owned a country-seat, called Twickenham, situated near Abington Meeting-House, in Montgomery County, where he occasionally resided; and on the lawn, in front of his dwelling, occurred a sharp skirmish between the British and American troops. His funeral was a public one, being conducted by a committee of the State Government, and the carriers and pall-bearers were from among the members of the Assembly and Council, by whom he was greatly respected and loved. He was buried with military honors as commander-in-chief of the forces of the State; and, at the request of the elders and vestry of the Evangelical Trinity Church of Lancaster, his body was interred within the walls of that edifice.

## GEORGE BRYAN,

### VICE-PRESIDENT AND ACTING PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL.

*May* 23 *to December* 1, 1778.

BY the decease of Thomas Wharton, Jr., the Vice-President, George Bryan became the acting President of the Council. Congress, which had been in session at York during the invasion of the State by the British army, upon its withdrawal returned to Philadelphia, holding its first session there on the 24th of June, 1778. The Council, which had been at Lancaster, also returned, and convened on the following day. Major-General Benedict Arnold, on account of wounds received in the second battle of Saratoga, being unfit for field-duty, was assigned to command in Philadelphia, and marched in with a regiment of veterans on the day succeeding the departure of the British. It is related that "when the American army entered Philadelphia there was a great scarcity of ammunition, and cartridge-paper being particularly wanted, the whole city was ransacked for a supply. At length, in a garret once occupied as a lumber-room by Dr. Franklin, when a printer, a vast collection of waste paper was discovered. Among the mass was more than a cartload of 'Sermons on Defensive War,' preached by the famous Gilbert Tennant during the old British and French war, for the purpose of rousing the Colonists to exertion. These appropriate manifestoes were immediately worked up into musket-cartridges and distributed to the army, which fired them away at the battle of Monmouth against the retiring foe." The city was no sooner clear of the enemy than the loyal inhabitants, who had been exiles for nearly a year,

began rapidly to return. The destruction of property, in many cases purposeless and indiscriminate, was everywhere painfully apparent. Elegant mansions and costly shops had been destroyed piecemeal, and grounds, filled with varieties of shade and shrubbery, had been utterly ruined. "The damage done by the enemy," says Westcott in his history of Philadelphia, "had been as wanton as it was extensive. The royal troops found Philadelphia a cleanly and handsome city; they left it reeking with filth, ruinous, and desolate." Christopher Martial has the following entries in his *Remembrancer*, on his return from Lancaster, quoted by Westcott: "*June* 25. Took a walk by myself to our once rural, beautiful place near Barracks, now nothing but a wanton desolation and destruction, that struck me with horror and detestation of the promoters and executors of such horrid deeds. My mind was so pained that I returned into the city. *June* 26. . . . Yet grief seized me on beholding the ruins; houses quite demolished,—of which ours, near the Bettering-House, was quite gone,—with the brick walls, chimneys, doors, cases, windows, and roofs either destroyed or carried away entirely."

D'Estang, finding the British fleet inaccessible in Raritan Bay, where it had taken refuge, concerted a plan with Washington for reducing the enemy in Rhode Island. He accordingly sailed thither, accompanied by Generals Lafayette and Greene, with veteran troops; and the militia of Massachusetts, Connecticut, and Rhode Island flocked to the standard of Sullivan, who had for some time been in command of the American forces in that quarter. The British fleet, which had in the meantime been reinforced by some powerful vessels, followed D'Estang. Upon their arrival in the Narragansett, the two fleets prepared for action; but while manœuvring to open the engagement, they were overtaken by a terrific storm, which disabled many of the French vessels, and prevented further hostile operations. D'Estang took his shattered fleet to Boston for repairs, and subsequently departed for the West Indies, there to operate against the English. The British fleet followed, leaving Sir Henry Clinton without

support, and preventing all active campaigning for the remainder of the season, save in Georgia, whither Colonel Campbell was dispatched with two thousand troops.

On the 1st of December, 1778, the term of one year, for which the President of the Council was chosen, expired, and George Bryan was relieved of the duties of that office by the election of a successor, though he was himself re-elected Vice-President, and continued to hold that office until the 11th of October, 1779, when he resigned.

George Bryan was born in 1731, in Dublin, Ireland. He was the eldest son, and in early life emigrated to America, settling in Philadelphia. He was at first engaged in mercantile pursuits, in which he was unsuccessful. He was early employed in the public service, having been a member of the Colonial Congress which met in New York in 1765, and repeatedly a member of the Assembly under the Proprietary Government. After that was at an end, he served in the Supreme Executive Council for three years, the maximum period in seven permitted by the organic law, as Vice-President, and a part of that time as acting President of the Council. Soon after retiring from this office he was elected a member of the Assembly, where he at once took a leading part. He was a sincere patriot, and, by voice and vote, gave his powerful support to the popular cause. It was at a time when the most vigilant and ceaseless care was requisite to maintain the new Government, both State and National, in their struggle with one of the leading powers of the earth; but his was a nature that could not be exclusively absorbed by the ordinary duties of the hour. His heart was full of sympathy for the weak, the lowly, and the suffering of every class; and while he was active in resisting tyranny from abroad, he was equally interested to remove every vestige of oppression at home. Frequent attempts had been made to put an end to African slavery in the Colony, but none had hitherto been successful. In his message to the Assembly of the 9th of November, 1778, as acting President of the Council, in calling attention to this subject, he said: "This, or some

better scheme, would tend to abrogate slavery, the opprobrium of America, from among us; and no period seems more happy for the attempt than the present, as the number of such unhappy characters, ever few in Pennsylvania, has been much reduced by the practices and plunder of our late invaders. In divesting the State of slaves, you will equally serve the cause of humanity and policy, and offer to God one of the most proper and best returns of gratitude for His great deliverance of us and our posterity from thraldom; you will also set your character for justice and benevolence in the true point of view to all Europe, who are astonished to see a people eager for liberty holding negroes in bondage."

Being now a member of the popular branch of the Government, where it was held that such measures should properly originate, he early matured and brought forward a bill, which, after setting forth in touching terms the wrongfulness of slavery, provided that no child born thereafter in Pennsylvania of slave parents should be a slave, but a servant until the age of twenty-eight years, when all claim for further service should cease; that all slaves should be immediately registered, and unless so registered, should be deemed free; and that slaves should be tried as other persons, and if capitally punished, the master should be paid from the public treasury. "It was passed," says Westcott, "on second reading by a vote of forty yeas to eighteen nays; and, upon third reading, on the 1st of March, 1780, by thirty-four yeas to eighteen nays." Thus by a law, simple in its operations, with little inconvenience to any, was a great act of justice consummated, striking with withering effect at the roots of a great social evil, and securing a perpetual blessing in its far-reaching consequences. "There is very little doubt," says the authority above quoted, "but that George Bryan deserves the credit of originating, and finally of urging this humane measure to a successful vote. He was aided by others, but he seemed to make the passage of the law his especial care."

In 1780, he was appointed a judge of the Supreme Court of the State, which office he held for eleven years, and until

his death, discharging its duties with ability and fidelity. In 1784 he was chosen one of the Council of Censors, of which body he was a leading member. He died on the 27th of January, 1791, aged sixty years. His remains were interred in the burying-ground of the Second Presbyterian church, Arch Street near Fifth.

Of his character and attainments, Dr. Ewing, Provost of the University, in a discourse delivered upon the occasion of his death, said: "As formed by nature for a close application to study, and animated with an ardent thirst for knowledge, and blest with a memory surprisingly tenacious, and the uncommon attendant, a clear, penetrating, and decisive judgment, his mind was the storehouse of extensive information on a great variety of subjects. Thus endowed and qualified, he was able, on most occasions, to avail himself of the labors and acquisitions, the researches and decisions of the most distinguished luminaries that had finished their course and set before him. You could, therefore, with confidence, generally depend upon his judgment as the last result of laborious investigation and mature decision. And if you add to these natural and acquired endowments the moral virtues and dispositions of his heart, *his benevolence and sympathy with the distressed*, his unaffected humility and easiness of access upon all occasions, his readiness to forgive, and his godlike superiority to the injuries of a misjudging world (in imitation of his divine Master, who, when he was reviled, reviled not again), his inflexible integrity in the administration of justice, together with his exalted contempt of both the frowns and the blandishments of the world, you will find him eminently qualified for the faithful and honorable discharge of the various public offices which he filled, with dignity and reputation, even in the worst of times, and in the midst of a torrent of unmerited obloquy and opposition. Such an assemblage of unusual qualifications and virtues as adorned the character of our departed friend, but seldom unite in a single man."

## JOSEPH REED,

### PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL,

*December* 1, 1778, *to October* 8, 1781.

THE election of officers of the Council for a third Constitutional term of one year, resulted in the choice of Joseph Reed, President, and George Bryan, Vice President. The latter resigned on the 11th of October, 1779, and was succeeded by Matthew Smith, who, however, retained the office but eleven days, when William Moore was elected, and continued to discharge the duties until the close of the term. President Reed had, previously, been an officer in the American army, and intimately associated with Washington, and while at the head of the Council was largely employed in devising legislation for the support and ultimate triumph of the American cause. Hence the recital of the chief incidents of his life is, in a good degree, the history of the Colony as it stands related to the nation.

Joseph Reed was born at Trenton, New Jersey, on the 27th of August, 1741. He was the son of Andrew Reed and Theodosia Bowers, and was of Scotch-Irish descent. Soon after the birth of their son they removed to Philadelphia, where they remained for some eleven years, when they returned to Trenton. The son's early education was obtained at the Philadelphia Academy, later at Princeton, where he took his Bachelor's degree in 1757, at the age of sixteen. He chose the law as his profession, and prosecuted its study with Richard Stockton, an eminent lawyer of New Jersey, afterwards a signer of the Declaration of Independence, and in May, 1763, was admitted to the bar. Unlike many young men of the present time, who are eager to succeed to an early



J. Reed

practice, regardless of the preparation by which it shall be sustained, he sought, by the most elaborate fundamental studies, to prepare himself to take a leading rank when he should finally become established in it, and in the early summer of that year embarked for England, where he entered as a student in the Middle Temple, remaining for nearly two years. It was the period when the excitement incident to the passage of the Stamp Act prevailed, in which Americans residing in England could not fail to be deeply absorbed. Upon his return, he commenced the practice of the law with flattering success.

Early in 1770 Mr. Reed again visited England, and in May of that year was married in London, to Esther, daughter of Dennis De Bert, the former agent of Massachusetts Bay at the Court of St. James. In October he returned to America, and on his arrival took up his residence in the city of Philadelphia, where he resumed the practice of his profession. In the popular movements in Pennsylvania, in common with the other Colonies, connected with the Duty on Tea, and subsequently with the Boston Port Bill, he took an active part. He was also the confidential correspondent of Lord Dartmouth, then Colonial secretary, and strove most anxiously to persuade the Ministry to measures of moderation. In 1774 he was appointed a member of the Committee of Correspondence for Philadelphia, and in January of the following year, was president of the second Provincial Convention.

At the opening of hostilities, and the appointment of Washington to the chief command of the American forces, Reed hastened to his support, and was immediately made a member of his military family. Irving, in his Life of Washington, gives the following account of his reception at headquarters: "The member of Washington's family most deserving of mention at present, was his secretary, Mr. Joseph Reed. With this gentleman he had formed an intimacy in the course of his visits to Philadelphia, to attend the sessions of the Continental Congress. Mr. Reed was an accomplished man, had studied law in America, and at the Temple in Lon-

don, and had gained a high reputation at the Philadelphia Bar. In the dawning of the Revolution, he had embraced the popular cause, and carried on a correspondence with the Earl of Dartmouth, endeavoring to enlighten the minister on the subject of Colonial affairs. He had since been highly instrumental in rousing Philadelphians to coöperate with the patriots of Boston. A sympathy of views and feelings had attached him to Washington, and induced him to accompany him to camp. He had no definite purpose when he left home, and his friends in Philadelphia were surprised, on receiving a letter from him written from Cambridge, to find that he had accepted the post of secretary to the Commander-in-chief. They expostulated with him by letter. That a man in the thirty-fifth year of his age, with a lucrative profession, a young wife and growing family, and a happy home, should suddenly abandon all to join the hazardous fortunes of the Revolutionary camp, appeared to them the height of infatuation. They remonstrated on the peril of the step. 'I have no inclination,' replied Reed, 'to be hanged for half treason. When a subject draws his sword against his prince, he must cut his way through, if he means to sit down in safety. I have taken too active a part in what may be called the civil part of opposition, to renounce, without disgrace, the public cause when it seems to lead to danger; and have a most sovereign contempt for the man who can plan measures he has not the spirit to execute!' Washington has occasionally been represented as cold and reserved; yet his intercourse with Mr. Reed is a proof to the contrary. His friendship towards him was frank and cordial, and the confidence he reposed in him full and implicit. Reed in fact became, in a little time, the intimate companion of his thoughts, his bosom counsellor. He felt the need of such a friend in the present exigency, placed as he was in a new and untried situation, and having to act with persons hitherto unknown to him. In military matters, it is true, he had a shrewd counsellor in General Lee; but Lee was a wayward character, a cosmopolite, without attachment to country, somewhat splenetic, and prone to follow

the bent of his whims and humors, which often clashed with propriety and sound policy. Reed, on the contrary, though less informed on military matters, had a strong common sense, unclouded by passion or prejudice, and a pure patriotism, which regarded everything as it bore upon the welfare of his country." *

He at first acted as the military secretary of the Commander-in-chief, having been assigned to that duty on the 4th of July, 1775. Skilled in the orderly and methodical transaction of business, and being a ready writer, there is no doubt that the opening of books of record, preparing forms, directing correspondence, composing legal and state papers, and establishing the general rules and etiquette of head-quarters, can be principally traced to him. In October, on account of the pressure of private business, he returned to Philadelphia, and on the 26th of January, though he was at the time acting as Chairman of the Committee of Safety, he was chosen a member of the Assembly, to take the place made vacant by the resignation of Mifflin. Upon the recommendation of General Washington, he was appointed by Congress, Adjutant General of the Army in June of this year, assuming its duties on the 16th. It was while acting in this capacity that Lord Howe and his brother, General Howe, who had just been assigned to the command of the British Army and Navy in America, loudly trumpeted their mission as one of peace, declaring themselves clothed with authority by their government to treat with the Americans. Under flag of truce they sent a communication to Washington, addressed to George Washington, Esq. Reed was sent to meet the officer bearing it. On looking at the address he declined to receive it, as Washington in his private capacity had no right to hold communication with the enemy. His action was approved by the General, by Congress, and the whole country, and no additions of &c., and &c., which the British commanders appended, could move the determination of Washington, as these officers well knew his military rank.

* Irving's Washington, Vol. II. p. 14.

The affairs in the American Army since its arrival in New York, had been gloomy and depressing in the extreme. A series of disasters and retreats had cast a gloom over the service and the whole country. In no breast was this more painfully felt than in that of Reed. Earnestly hoping and longing for success, and more prosperous days, and seeing only disaster follow disaster, he became distrustful, not of the capacity or the devotion of General Washington, but of a lack of decision in the midst of divided counsels, and in a letter to Lee, whose daring was proverbial, he indulged in expressions disparaging to the former, and highly complimentary to the latter, and signified a wish that Lee might be placed in chief command. Lee answered this letter, and in replying to this part of it plainly reflected the sentiments of Reed. The reply came in Reed's absence, and, being in official form, was opened by Washington. At a glance he saw that a feeling of distrust was entertained by his Adjutant General. It occasioned a coolness on the part of Washington towards Reed, for a time, where before had been the most intimate and confiding friendship. There is little doubt that the criticism was just, and that Washington recognized it as such; for he soon after manifested a marked change, exhibiting a much greater degree of daring and dash than ever before. The only complaint that Washington was disposed to make, was that Reed did not unbosom himself directly to him. In this Reed felt that he had been indiscreet, a fault that he had been led into by his earnest anxiety for a more marked success for the American arms, and wrote in the most open-hearted terms to Washington, in which he said, "Whatever may be my future destination and course of life, I could not support the reflection of being thought ungrateful and insincere to a friendship which was equally my pride and my pleasure." The heart of Washington was touched, and the reconciliation was sincere and lasting.

After crossing the Hudson, and while retreating through New Jersey before the victorious columns of Howe, the condition of American affairs was most dispiriting. Washington

dispatched Reed to Burlington, with a letter to Governor Livingston of New Jersey, entreating him to call out the militia, and Mifflin was sent on a similar errand to Philadelphia. The two armies were now approaching territory with which Reed was perfectly familiar, being the section of his birth, and he was able to give most valuable topographical information. Before departing from camp on the mission to the Governor of New Jersey, he had communicated his intention to Washington of resigning his place as Adjutant General, and while at Burlington he sent his commission to the President of Congress, designing, however, to remain at headquarters as a volunteer aid; but upon receiving an urgent appeal from Washington at midnight of December 1st, for him to withhold his resignation, he dispatched a messenger to recall the commission, which was effected.

While Washington was moving upon Trenton, Reed was left with Cadwalader, with orders to cross and coöperate with his chief. The current of the river and the floating ice, prevented the main body from passing; but Reed with two or three companions succeeded in getting over, and by his activity kept the Commander well informed of the position and numbers of the enemy, and gave most excellent and urgent advice in the movements upon Princeton.

Recognizing Reed's enterprise, skill, and daring in the management of affairs, and being now apprised of his determination to resign the office of Adjutant General, Washington was desirous of securing his services as leader of cavalry. In a communication addressed, on 27th of January, 1777, to Congress, recommending the appointment of Brigadier Generals, he says: "I shall also beg leave to recommend Colonel Reed to the command of the horse, as a person in my opinion in every way qualified; for he is extremely active and enterprising, many signal proofs of which he has given during this campaign." In compliance with this recommendation, Congress elected him a Brigadier, and Washington in communicating the fact to him, said: "Congress having empowered me by a resolve, transmitted this morning, to assign one of

the generals already appointed to the command of the light horse, I mean that you should act in that line, if agreeable to you, and I wish you in that case to repair to camp as soon as you can." Two weeks later, on the 14th of June, finding that Reed hesitated, he again wrote, saying: "I sincerely wish that you may accept the appointment of Congress, and the post I am desirous of placing you in." Notwithstanding these repeated solicitations of the Commander-in-chief, he felt obliged, for private reasons, to decline the appointment, though he decided to attach himself to Washington as a volunteer aid without rank or pay. Previous to the action of Congress in making him a General, on the 20th of March, 1777, the Supreme Executive Council had unanimously appointed him the first Chief Justice of the Colony under the new Constitution; but this office, though the most dignified and honorable in the Colony, and one for which his previous training had well fitted him, he also declined. On the 14th of September following, the Assembly elected him a delegate to Congress, in place of Jonathan B. Smith, who had resigned.

On the 10th of December, not having yet taken his seat in that body, a new election was held, at which he was again chosen. On the 25th of November, Congress appointed him a Commissioner of Indian Affairs, but that position was likewise declined. Early in 1778, Congress, desirous of availing itself of his knowledge and aptness in military affairs, made him one of a committee to visit camp, for conference with Washington respecting the management of the ensuing campaign, and to concert measures for the greatest efficiency of the army. Of this committee, Reed was chairman.

At the State election held in October he was chosen a member of the Assembly by the city, and a member of the Council by the County of Philadelphia, the former of which offices he declined. In December he was unanimously elected in joint ballot, President of the Supreme Executive Council, and was continued for three years; and this office he accepted, entering at once upon the discharge of its duties. Near the close of his predecessor's term, the abolition of slavery in Penn-

sylvania had been the subject of discussion. For the consummation of this just and humane provision, he felt the deepest solicitude. In one of his early messages to the Assembly, he said; "We would also again bring into your view a plan for the gradual abolition of slavery, so disgraceful to any people, and more especially to those who have been contending in the great cause of liberty themselves, and upon whom Providence has bestowed such eminent marks of its favor and protection. We think we are loudly called on to evince our gratitude, in making our fellowmen joint heirs with us in the same inestimable blessings, under such restrictions and regulations as will not injure the community, and will imperceptibly enable them to relish and improve the station to which they will be advanced. Honored will that State be, in the annals of history, which shall first abolish this violation of the rights of mankind, and the memories of those will be held in grateful and everlasting remembrance, who shall pass the law to restore and establish the rights of human nature in Pennsylvania." * The great act of justice for which he so earnestly pleads in this passage of his message, he had the satisfaction of seeing become a law during his administration.

The new Constitution of 1776 had, from the day of its inauguration, encountered strong opposition. The party supporting it were, in general, the friends of Congress, and of Independence. Its opponents favored conciliation with the Crown, and a return to the Proprietary Government. So strong had the opposition to this instrument become, as evinced by petitions for its revisal, that the Assembly of 1778 ordered that the question of revisal be submitted to a popular vote. As the time approached for applying this test, the friends of the Constitution, who were especially strong in Philadelphia, manifested their disapproval of the measure by numerously signed remonstrances. It was held to be particularly impolitic to open questions of state policy, and thus awaken the acrimony of party spirit, while the struggle for independence was yet undecided. These remonstrances had

* Memoirs of the Historical Society of Pennsylvania, Vol. I. p. 406.

such weight with the Assembly as to induce it to repeal the act for taking the popular voice, and the constitution was permitted to remain unaltered until long after the War for Independence was ended, and a stable government for the nation had been established.

Benedict Arnold, who had been assigned to military command in Philadelphia, by General Washington, immediately after its evacuation by the British, early in the summer of 1778, had, by his alleged violations of official duty, fallen under the displeasure of the council, which brought charges against him that were presented to Congress. It appears that Arnold, on assuming command in the city, had set up a style of living of unprecedented extravagance. He rented the house of Richard Penn, which had been the headquarters of Sir William Howe, and was afterwards occupied by General Washington, during his Presidency. He kept liveried servants, and a coach and four. He married for his second wife, Margaret Shippen, the youthful and accomplished daughter of Edward Shippen, afterwards Chief Justice of the State, and a Tory. To support his extravagant way of life, his salary as an officer was entirely insufficient. To secure the requisite means he had prostituted his official position. Having closed all places of business in the city, he allowed his minions to trade, charging exorbitant prices, the profits of which he shared. He employed the transportation of the army for private uses; and in sundry ways defeated the ends of justice, thereby securing his own advantage. Upon these and other charges Arnold demanded a court-martial, which was accorded; and after many delays, he was tried, found guilty of a part, and sentenced to be reprimanded by the Commander-in-chief. This result exasperated Arnold, whose temper had been previously soured by his failure to obtain large sums of money from Congress, in payment of expenses incurred in the Canada campaign. He accordingly resigned his commission, and immediately commenced a correspondence with officers in the British army, with the purpose, undoubtedly, of having his revenge. Major André, with whom he subse-

quently planned his treachery for the surrender of the stronghold at West Point, had, during the winter that the British occupied Philadelphia, been on intimate terms with Miss Shippen, whom Arnold married, and through him the correspondence was opened. Thus can be traced the ruin of Arnold — a name at the mention of which every breast is filled with loathing — to a luxurious and extravagant way of life, a cause which has brought many a man since to destruction.

In the prosecution of the charges against Arnold, Reed, as President of the Council, took an active part, and consequently incurred the odium of the friends of the traitor. Actuated by revengeful feelings, charges were brought against Reed of having been approached by emissaries of the British Government, with the offer of a bribe, to use his influence for a reconciliation with the mother country; and the conversation of Mrs. Ferguson, through whom the proposition had been conveyed, with the Agent of the Crown, was published. The history of this event is well known.

In February, 1778, Lord North, the British Premier, proposed the total abolition of all taxes, of whatever kind, of which the Americans had complained, and the appointment of Commissioners to negotiate terms of peace. Grown sick of war, vastly expensive in blood and treasure, the English people demanded this policy. It prevailed; and Earl Carlisle, George Johnstone, and William Eden, were accordingly appointed. As they were only empowered to forgive past offences, and conclude peace upon the old basis of Colonial dependence upon the British Crown, Congress refused to listen to them, asserting that the Americans had done nothing that needed forgiveness, that they would listen to no terms while British armies remained on Colonial soil and independence of British rule was denied. Finding that no negotiations of a public nature could be engaged in, the bribing of men high in the service of the nation was attempted. Johnstone had been the bearer of private letters to Reed from his brother-in-law, De Bert, in England, and Reed had, out of

politeness, sent the bearer a letter of thanks, showing his missive to Washington, and having the latter's approval before sending it. Presuming upon this act of civility, Johnstone, in a conversation with Mrs. Ferguson upon the horrors of the conflict, expressed his desire to engage Reed in securing a pacification, and that if he consented, ten thousand guineas, and the best office in the Province, would be at his disposal. This he desired Mrs. Ferguson would communicate to Reed. The reply of the latter, on hearing this disgraceful proposition, was worthy of the noblest patriotism. "*My influence is but small; but were it as great as Governor Johnstone would insinuate, the King of Great Britain has nothing in his gift that would tempt me.*"

Upon the return of the loyal inhabitants to the city of Philadelphia, after the departure of the enemy, the feeling against the Tories, who had remained aiding and abetting them, was very bitter, and many prosecutions for treason were commenced. The action of the committee who had been appointed to conduct these proceedings, was not so summary as the populace desired, and the feeling of the militia, principally that of the privates, was wrought to such a pitch that acts of violence were attempted against some of the most esteemed citizens; especially those lawyers who had defended the Tories in court, embracing such men as Robert Morris, and James Wilson, a signer of the Declaration of Independence. To elude the rioters, many took refuge in Wilson's house. The rabble in passing fired upon it, and shots were given in return, by which one was killed and several wounded. In the midst of these proceedings the President, mounted, appeared with a squadron of the City Troop, and dispersed the rioters, taking some of the leaders into custody.

The Academy and College of Philadelphia was a subject of legislation during this administration. The Provost, Dr. Smith, and some of the Professors and trustees, were believed to be hostile to Independence. The charter required an oath of allegiance to the King of Great Britain. By act of the trustees, of the 14th of June, 1764, it was alleged that they

had "departed from the plan of the original founders, and narrowed the foundation of the said institution." After due inquiry into the facts by a committee appointed for the purpose, an act was passed on the 27th of November, 1779, abrogating its former charter, removing its instructors and officers, and vesting its property in a new board, granting an endowment from confiscated estates, yielding an annual income of fifteen thousand pounds. The new board of trustees was composed of three classes, *ex-officio* members to the number of six, a like number of clergymen of as many different denominations, and thirteen citizens selected on account of their devotion to liberal learning. The name of the institution was changed to that of the "University of the State of Pennsylvania."

At the urgent request of Washington, President Reed was invested, in 1780, with extraordinary powers. The want of energy in the action of the several State governments in supplying troops and the means of prosecuting the war in emergencies prompted to this action. In writing to Reed upon this subject, Washington said: "This is a decisive moment; one of the most, I will go further, and say, *the* most important America has seen. The Court of France has made a glorious effort for our deliverance, and if we disappoint its intentions by our supineness, we must become contemptible in the eyes of all mankind, nor can we after that venture to confide that our allies will persist in an attempt to establish what, it will appear, we want inclination or ability to assist them in."

The extraordinary authority bestowed was wisely and prudently exercised. Indeed, the influence of the President with the militia was all-powerful. For, when, in the winter of 1780, the soldiers of the Pennsylvania line under General Wayne, poorly clothed, badly fed, and worse paid, kept beyond their period of enlistment by a most disingenuous interpretation of language,* revolted and commenced the march under non-commissioned officers with arms in their

* "For three years or the war," was interpreted to mean as much longer than three years as the war should last, whereas three years was clearly intended as the maximum term.

hands to Philadelphia, to demand redress from Congress, and it was told to them that President Reed was on his way to meet them, they halted in their mad course, and received him with tokens of the utmost respect and veneration. Terms of pacification were speedily arranged by which those entitled to discharge were relieved, and the remainder returned to duty.

Just previous to the arrival of the President, two emissaries of the enemy came post-haste to the disaffected soldiers, holding out strong inducements for continuing the revolt. The mutineers spurned to listen, and handed them over to the American officers as spies, by whom they were tried and executed at the next cross-roads. The two sergeants who had arrested them were offered a reward of fifty guineas; but they would not accept it, alleging that they had acted under the orders of the Board of Sergeants in command. A hundred guineas were then offered the latter. Their answer was worthy of Spartan virtue: "It was not for the sake, or through any expectation of reward, but for the love of our country, that we sent the spies immediately to General Wayne; we therefore do not consider ourselves entitled to any other reward but the love of our country, and do jointly agree to accept of no other."

When President Reed approached the mutineers, he was uncertain in what temper they might be. It was deemed imprudent for him to go among them, lest in their exasperated state of mind some indiscreet ones should do him violence. But he determined to trust himself implicitly among them, and wrote to the Executive Council: "I have but one life to lose, and my country has the first claim to it." He afterwards took the field in person, at the head of a body of militia called out for special service. The camp was established at Trenton, and here he carefully organized and trained the raw recruits with the patience and industry of a subaltern.

At the expiration of his term of office as President of the Council, he resumed the practice of the law in Philadelphia. Among the causes in which he was concerned at this period

was one in the decision of which the State of Pennsylvania was deeply interested. The State of Connecticut had long before laid claim to a vast section of land known as the Wyoming Territory, and had sent emigrants to settle it. Frequent attempts had been made to drive these settlers out by force, as well as by peaceful arbitration, which had proved unavailing. Congress now appointed a commission, of which Reed was one, to make a final decision. The commission met at Trenton. The argument of Reed occupied six hours in its delivery, and was an exhaustive and masterly statement of the case. The result was a decision in favor of Pennsylvania, thus preserving the territory as acquired by Penn, intact.

Soon after Mr. Reed's retirement from the Presidency, his wife, a most estimable woman, was removed by death. Her loss was deeply felt, and it was not long before his own system began to give tokens of decay. He visited England, hoping that a sea-voyage and change of scene and climate might restore him to soundness; but he found little relief, and after an absence of a few months he returned in September, 1784. In the November following, he was chosen a member of Congress, but he never took his seat. The disease which had fastened upon him, pursued him still, and after a painful illness of two months, he breathed his last on the 5th of March, 1785, at the early age of forty-four, literally worn out in the service of his country.

Mr. Reed's mind was one of remarkable activity and power. His scholarly attainments, his acuteness of perception, and his kind and affable manners fitted him for great usefulness in the way of life which he was called to tread. The high estimate which Washington placed upon his capacity, and his devotion to the cause of his country, is seen in the selection of him to lead the cavalry in one of the most active and trying periods of the American war, and the repeated solicitations for him to accept the position. At his dying hour he said: "My situation in life has made me an object of much envy, calumny, and reproach; I, therefore, on this solemn occasion, declare that any charge of infidelity to my country,

correspondence with the enemy, injustice to the state or individuals, which has been made against me, is false." A life so devoted to the service of his country, from its opening to its closing scenes, will be little affected by the voice of detraction, and the best answer to the cavils of the traducer is the great life-work that he accomplished, which we have endeavored briefly to sketch.





Wm Moore.

## WILLIAM MOORE,

### PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL,

*November* 14, 1781, *to October* 8, 1782.

WILLIAM MOORE, who, from the 18th of October, 1779, had been Vice-President of the Council, was unanimously elected President to succeed Joseph Reed. He had been a merchant, and was a man of great energy of character, possessing the warm regard and confidence of his fellow-citizens. He was an active and steadfast patriot, and at that period in the progress of the Revolutionary War, when many were despondent and would have gladly given up the contest, such a man as he was needed at the helm of State to inspire confidence and preserve the public integrity.

The period just previous to that during which Mr. Moore was Governor was one of great monetary distress. The war had been a long and wasting one, and the colonists, when compared with the nations of Continental Europe, were very poor. Bills of credit had been issued to such an enormous extent that they had depreciated far beyond any known precedent. There appears on the minutes of the Council of November 20, 1780, a record of settlement of William Moore's salary for one year as Vice-President, that illustrates the extent to which at that time the currency had been reduced. It is as follows: "Dr. The State of Pennsylvania with Honorable William Moore, Esq. To amount of one year's salary, at £600 per annum, or 1200 bushels of wheat at £20 Continental, £24,000."* Then follow payments at various dates of sundry sums to the amount of £13,000, and a record of an order drawn at that date for the balance of £11,000. Thus had the moderate salary of £600 a year

* Pennsylvania Archives, Vol. III. pp. 511–12.

grown to the enormous one of £24,000 by a very simple method. The authorities were sadly in arrears in paying even in this almost worthless medium. The troops were in some cases in open mutiny, and the army seemed on the eve of breaking up. At this juncture Robert Morris, a merchant of Philadelphia, and one of the foremost of the patriots, a friend and associate of Moore, was appointed by Congress Secretary of Finance, and was placed at the head of the first National Bank established in the United States. It was known as the Bank of North America, and was located in Philadelphia. Through the skilful management of Morris, aided by wealthy citizens of Pennsylvania, the credit of the country was revived, and the war was brought to a successful issue. In the winter of 1776, when the time of the militia from several of the States had expired, and they were about to disband, Washington induced them to remain in the field by the offer of a bounty. The day of re-enlistment was drawing near, and the Commander-in-chief was without the money necessary to meet his bounty engagement. It was useless to apply to Congress, for it had no funds. In this emergency Washington made an urgent appeal to Robert Morris. The sum needed was large, and it must be in specie. Morris is represented as leaving his counting-house in a depressed spirit, unusual to him. On his way he met a wealthy Quaker, to whom he made known his wants. "Robert, what security canst thou give!" asked the Quaker. "My note and my honor," promptly replied Morris. "Thou shalt have it," was the answer; and the next morning Morris wrote to Washington: "I was up early this morning to dispatch a supply of fifty thousand dollars to your Excellency. It gives me great pleasure that you have engaged the troops to continue; and if further occasional supplies of money are necessary, you may depend on my exertions either in a public or private capacity."* It was thus that Pennsylvania in every stage of the war aided the patriot cause, not only by sending her soldiers to the field, but by furnishing the sinews of war.

* Lossing's Field Book of the Revolution, Vol. II. p. 25.

Before the year for which Governor Moore was elected President had expired, the period of three years during which he had been a Councillor was at an end, and he was obliged, on account of the limitation fixed by the Constitution, to retire, and hence could not be a candidate for re-election. In February, 1784, he was elected a director of the Bank of Pennsylvania, and in July of that year we find him acting as chairman of a meeting of citizens of Philadelphia, convened to take measures for placing the public debts upon a permanent foundation. In October following, he was elected a member of the Assembly from Philadelphia. He died in 1793.

Mr. Moore married Sarah, daughter of Thomas Lloyd — the other daughter of Mr. Lloyd, Susanna, having married Thomas Wharton, Jr., first President of the Council. The father of Mr. Lloyd was Vice-President of the Council under William Penn, and is said to have traced his ancestry back to Mirick or Meirig, Prince of Demeca, born A. D. 490. Three children were the issue of this marriage. A son, Colonel Thomas Lloyd Moore, is described by Griswold, in his *American Court*, as "a military gentleman well known in the gay world of that day." He enjoyed the friendship and social intimacy of the family of President Washington. He married Sarah Stamper, and their only daughter, Eliza, became the consort of Richard Willing, of Philadelphia, a family which figured largely in the best society of that day. Elizabeth, the only daughter of President Moore, married the Marquis de Marbois, French *Charge d'Affaires* for a period of six years to the United States, and who negotiated the treaty for the cession of Louisiana. Their only child, Marie Ann Sophie, married the Duke de Plaisance, son of Le Brun, one of Napoleon's colleagues in the Consulate. They resided for a time in Greece, where the Duchess, who survived her husband, died intestate, and a large estate, after a suit in the French courts, was decreed to the heirs of Richard and Eliza Willing. President Moore's third child was Robert Kearney Moore.

## JOHN DICKINSON,

### PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL,

*November* 7, 1782, *to October* 18, 1785.

JOHN DICKINSON, the fourth President of the Council, was born in Maryland, on the 13th of November, 1732. His father, Samuel Dickinson, was a man of considerable fortune, possessed of a strong mind and liberal views. He sent his two eldest sons, by a first marriage, to England to be educated, who both died before completing their studies. For his second wife he married Mary Cadwalader, descended from one of the earliest settlers in Pennsylvania. Of this marriage, John, the subject of this sketch, was the eldest-born. Sorrowful at the early death of his two children in a foreign land, the father determined that this one should be educated in the Colonies, and he was placed under the tuition of an eminent scholar, Mr. Kilen, subsequently Chancellor of the State. A few years after the son's birth, the father removed to his estate in Dover, Delaware, where he became the first judge of the Court of Common Pleas.

Having completed his academic course, he commenced the reading of the law in the office of John Mowland, Esq., of Philadelphia, and afterwards visited England, where for three years he prosecuted his legal studies in the Temple with great assiduity and singular profit. Well grounded in the elements of his chosen profession, and thoroughly imbued with its spirit, he returned to America, and commenced its practice in the city of Philadelphia, at once taking rank as one of the most erudite and scholarly members of a bar which at that early day had become renowned.



John Dickinson

Native dignity and worth, aided by careful culture, made him a fit instrument in fashioning the civil polity of a new and rising State, and fortune favored his transfer from the arena of the law to the broader field of statesmanship. In 1764 he was chosen a member of the Colonial Assembly. For several years previous, a bitter controversy had been in progress between the Proprietors and the Assembly respecting the taxing of the Proprietary estates. The former claimed exemption, while the latter as resolutely asserted the right to tax. No money bill could be passed without the assent of the Deputy Governor, and he being subservient to the Proprietors, legislation was often at a stand-still, while the most violent controversies were maintained. So vexatious had these delays finally become, that the Assembly had decided to appeal to the Crown to take the Colony under its immediate control. Dickinson, upon his entrance into the Assembly, opposed this change, as being likely to involve the Colony in greater evils than those of which complaint was made; and when it was proposed to send Dr. Franklin as the agent of the Assembly to England, to represent their cause at court, Dickinson objected to his appointment, on the ground of his being a warm partisan of the project. But the troubles were of so long standing, and there being no prospect of improvement, the resolution asking the change was carried, and Franklin was appointed. The conservative tendency of Mr. Dickinson's mind was clearly manifested in the debates upon these measures, and that tendency he preserved to the close of a life singularly devoted to weighty cares and responsibilities.

The feeling of opposition to the passage of the famous Stamp Act in the following year called forth vigorous remonstrances against it from nearly all the Colonies, and a proposition for a Congress of delegates to concert measures for opposing it. To this Congress, which met at New York in October, Messrs. Dickinson, Fox, Bryan, and Morton were appointed delegates from Pennsylvania, and full instructions were given by the Assembly for their

guidance. They were to assert the constitutional rights of the Colony firmly, but were enjoined "to frame their addresses in respectful terms." Their instructions are concluded in the following strain: "That the Assembly deem it their duty thus firmly to assert, with modesty and decency, their inherent rights, that posterity may learn that it was not by their consent that taxes should be levied upon them by others than their representatives; and that these resolves might bear testimony of the zeal and ardent desire of the present House to preserve their inestimable rights, which, as Englishmen, they possessed since the Province was settled, and to transmit them to their children." * The petition to the King and the memorial to Parliament, issued by this Congress, were not signed by Mr. Dickinson, as he was called home by his private affairs before they were prepared, but with the sentiments of those papers he was in full accord.†

The wrongfulness of the course of the British ministry Dickinson could distinctly see. He believed that, if he could make the ruling classes of England see that error as clearly as he did, they could not fail, if actuated by reasonable and just views, to renounce it. He accordingly commenced a series of essays, conceived in a temperate but most lucid and just vein, designed to enlighten not only the governing power, but the popular mind. The first was a letter addressed to a friend in England by a gentleman of Philadelphia, on the late regulations of the Crown for the government of American Colonies, in which he dwelt especially upon the impolicy of the scheme, aside from its injustice. This was soon followed by a pamphlet, addressed to the inhabitants of Barbadoes, who had animadverted, in an address to the King, upon the rebellious spirit of the Colonies, in comparison with their own implicit faith and obedience. Dickinson in a firm, manly way defended the cause of the Colonies. "Let any person," he says, "consider the speeches lately made in Parliament, and the resolutions said to be made there, notwithstanding the convulsions occasioned through the British

* Gordon, 435. † Ibid. 442.

Empire by the opposition of their Colonies to the Stamp Act, and he may easily judge what would have been their situation in case they had bent down and humbly taken up the burden prepared for them. When the Exclusion Bill was depending in the House of Commons, Colonel Titus made this short speech: 'Mr. Speaker, I hear a lion roaring in the lobby. Shall we secure the door, and keep him there? or shall we let him in, to try if we can turn him out again?'"

Earnest in his purpose of bringing all to his views, Mr. Dickinson wrote and published a series of papers, in 1767, under the title of "Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies," in which he labored most earnestly to show the unconstitutionality and injustice of the Royal Government in its recent acts, the great danger to which the liberties of the people were exposed, and the peril of unquestioning submission to the smallest injustice, which, once fastened upon the people, would be used as a precedent for boundless exactions. The work consisted of twelve letters, and among the special topics treated were the acts for suspending legislation, for granting duties on paper, and the invasion of the prerogatives of the Colony by the Ministry; the necessity, in free States, of ceaseless vigilance, and the peaceful but effective resistance to oppression. They appeared at a time when the public mind was greatly agitated upon these subjects, and, though written in a plain, argumentative style, they became very popular, and exerted a powerful effect in uniting the people of the whole country in a common cause, and putting into the mouths of all, ready and effective arguments upon the vital questions at issue. They were republished in nearly all the Colonies, and in England, where Dr. Franklin furnished an introduction. They were translated into French, and were published in Paris. The writer probably had no idea that they would be remembered beyond the generation which they were meant to influence; and yet he has acquired a world-renowned reputation as being the author of the "Farmer's Letters," and they are likely to per-

petuate his memory when all else that he did or said is consigned to oblivion. Void of the rant and rhapsody which were too common at this period, they preserved a marked moderation of sentiment and style, which carried all the more weight at home, and arrested the attention of the most bitter opponents in Great Britain. "We have," he says, "a generous, humane, and sensible nation to whom we may apply. Let us behave like dutiful children who have received unmerited blows from a beloved parent. Let us complain to our parents; but let our complaints speak at the same time the language of affection and veneration."

At a meeting held in Faneuil Hall, Boston, soon after their publication, the author of these letters received the most flattering eulogies, and a committee was appointed, consisting of John Hancock, Samuel Adams, Joseph Warren, Dr. Church, and John Rae, to convey to him the sentiments of the meeting. In their communication they say: "To such eminent worth and virtue, the inhabitants of the town of Boston, the capital of the Province of Massachusetts Bay, in full town meeting assembled, express their gratitude. Though such superior merit must assuredly, in the closest recess, enjoy the divine satisfaction of having served and possibly saved this people; though veiled from our view, you modestly shun the deserved applause of millions; permit us to intrude upon your retirement, and salute the Farmer as the friend of Americans, and the common benefactor of mankind."

"In May, 1778, an association in Philadelphia, called the Society of Fort St. David, presented an address to Mr. Dickinson 'in a box of heart of oak.' The following inscriptions were done upon it in gold letters. On the top was represented the cap of liberty on a spear, resting on a cipher of the letters J. D. Underneath the cipher, in a semicircular label, the words Pro Patria. Around the whole, the following: '*The gift of the Governor and Society of Fort St. David, to the author of* The Farmer's Letters, *in grateful testimony to the very eminent services thereby rendered to this country*, 1768.' On

the inside of the top was the following inscription: '*The liberties of the British Colonies in America asserted with Attic eloquence and Roman spirit by John Dickinson, Esq., barrister at law.*'"*

The passage of the Boston Port Bill excited indignation among the great body of the people in all the Colonies, though there was a class obstinately upholding every act of the Royal Government, and earnestly opposing any expression of opinion in opposition to it, lest some inconvenience or loss should be experienced. To harmonize opinions and bring all to act with unanimity throughout the Colonies, while the Royal Governors were in authority, proved difficult. This unanimity was finally effected through committees of correspondence, which eventually became more powerful than governors and legislatures, their advice being of more binding force than the most formal enactments. A public meeting was convened on the 18th of June, 1774, in Philadelphia, over which Messrs. Dickinson and Willing presided, at which it was resolved to be expedient to call a Continental Congress, and that a committee should be appointed to correspond with the several counties of the Province and with the other Colonies. Of this committee, which consisted of forty-three members, Mr. Dickinson was chairman.

In the letter to the several counties they said: "We will not offer such an affront to the well-known public spirit of Pennsylvanians as to question your zeal on the present occasion. Our very existence in the rank of freemen, and the security of all that ought to be dear to us, evidently depend on our conducting this great cause to its proper issue by firmness, wisdom, and magnanimity. It is with pleasure that we assure you that all the Colonies, from South Carolina to New Hampshire, are animated with one spirit in the common cause, and consider this as the proper crisis for having our differences with the mother country brought to some certain issue, and our liberties fixed upon a permanent founda

* Lossing's Field Book of the Revolution, Vol. I. p. 477.

tion. This desirable end can only be accomplished by a free communication of sentiments and a sincere and fervent regard for the interests of our common country." It was by appeals like this, in which we recognize the pen of Mr. Dickinson, that the people were aroused and moulded in opinion and sentiment to united indignation and opposition to British policy. Delegates were appointed in all the counties, who met in convention at Philadelphia, and passed spirited resolutions, setting forth their allegiance to the King, but only on condition that his ministry adhered to the principles of the English Constitution. A series of instructions were also adopted for the guidance of the Assembly. These were drawn by Mr. Dickinson. After enumerating the powers of the sovereign and Parliament which were legitimate and proper, and which should be respected, he recounts the unwarrantable assumptions, and closes in these memorable words: "The power claimed by Great Britain, and the late attempt to exercise it over these Colonies, present to our view two events, one of which must inevitably take place. If she shall continue to insist on her pretensions, either the Colonies will sink from the rank of freemen into the class of slaves, overwhelmed with all the miseries and vices proved by the history of mankind to be inseparably annexed to that deplorable condition; or, if they have sense and virtue enough to exert themselves in striving to avoid this perdition, they must be involved in an opposition dreadful even in contemplation. Honor, justice, and humanity call upon us to hold and to transmit to our posterity that liberty which we received from our ancestors. It is not our duty to leave wealth to our children, but it is our duty to leave liberty to them. No infamy, iniquity, or cruelty can exceed our own, if we, born and educated in a country of freedom, entitled to its blessings and knowing their value, pusillanimously deserting the post assigned us by Divine Providence, surrender succeeding generations to a condition of wretchedness from which no human efforts, in all probability, will be sufficient to extricate them — the experience of all States

mournfully demonstrating to us that, 'when arbitrary power has been established over them, even the wisest and bravest nations that ever flourished have, in a few years, degenerated into abject and wretched vassals."

This paper also expressed the desire that the Assembly would appoint delegates to a general Congress; and the precise terms of settlement with the mother country, which this body ought to labor to procure, were also sketched. The right of Parliament to legislate for the Colonies, enforced by numerous quotations and illustrations from the writers of antiquity, was also treated in this paper, and when adopted by the convention was by its order communicated to each of the other Colonies.

In accordance with a preconcerted understanding, the delegates of eleven Colonies met in Philadelphia on the 4th of September, 1774, in Carpenter's Hall. The early sessions of this body were spent in impassioned discourse on the posture of affairs, in which the eloquence of Patrick Henry, one of the delegates from Virginia, rose to a pitch of grandeur, as described by his hearers, rarely heard among men. Several measures of protection were agreed to with great unanimity, and addresses to the King, to the people of Great Britain, and to the inhabitants of British America, were ordered to be drawn, and suitable committees were appointed to prepare them. Mr. Wirt, the biographer of Patrick Henry, has given an interesting account of the preparation of these papers. "The splendor of their [Henry, Livingston, Lee] *debut* occasioned Mr. Henry to be designated by his committee to draw the petition to the King, with which they were charged; and Mr. Lee was charged with the address to the people of England. The last was first reported. On reading it, great disappointment was expressed in every countenance, and a dead silence ensued for some minutes. At length it was laid on the table for perusal and consideration till the next day; when first one member and then another arose, and, paying some faint compliment to the composition, observed that there were still certain considerations not

expressed, which should properly find a place in it. The address was therefore committed for amendment, and one prepared by Mr. Jay, and offered by Mr. Livingston, was adopted with scarcely an alteration. Mr. Henry's draft of a petition to the King was equally unsuccessful, and was recommitted for amendment. Mr. John Dickinson, the author of the Farmer's Letters, was added to the committee, and a new draft, prepared by him, was adopted. This is one of the incidents in the life of Mr. Henry to which an allusion was made in a former page, when it was observed that, notwithstanding the wonderful gifts which he had derived from nature, he lived himself to deplore his early neglect of literature. But for this neglect, that imperishable trophy won by the pen of John Dickinson would have been his; and the fame of his genius, instead of resting on tradition, or the short-lived report of his present biographer, would have flourished on the immortal page of American history."*

In the original delegation from Pennsylvania to this Congress, Mr. Dickinson was not included. When the Assembly met in October, he was appointed to join it, and immediately took his seat. This accounts for his not being at first put upon the committee. John Adams was also a member, and is reported to have assisted Mr. Henry in the composition of the petition. The reason why the original draft did not prove acceptable was not that it said too little, but too much. The policy which Congress had determined to pursue was one of reconciliation with the mother country, so that, if a struggle should ensue, the language of its papers and proceedings should not show it to have been the aggressor. Hence it was necessary that the fiery words of Henry and Adams, who thought that there would be no reconciliation, should be toned down by the pen of Dickinson, who believed that pacification was possible, and who, moreover, sincerely desired that it should be effected, indeed had set his heart on securing it. Therefore, when he came to draw the address, he pleaded the case most earnestly upon its merits;

* Wirt's Life of Patrick Henry, p 126.

and so much was he wrought upon by the justice of his cause that he did not conceive that failure was possible. The petition which he submitted was adopted, and he was also charged with drawing an address to the people of Canada. Thus were two of the most important papers of this Congress prepared by Mr. Dickinson. In Europe they produced a profound sensation. The Earl of Chatham, in alluding to them in the House of Lords, said: "When your Lordships look at the papers transmitted to us from America, when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself I must declare and avow that, in all my reading, and study, — and it has been my favorite study; I have read Thucydides, and have studied and admired the master States of the world, — that for solidity of reasoning, force of sagacity, and wisdom of conclusion, I know not the people or senate who, in such a complication of difficult circumstances, can stand in preference to the delegates of America assembled in General Congress at Philadelphia."

Congress had adopted these papers in the hope that the Government of Great Britain would yield what was asked, and in that case there was to be no other meeting; but the Ministry and Parliament gave no token of conciliation, and Congress again assembled in May, 1775, as had been provided if concessions were not granted. The delegation from Pennsylvania consisted of Messrs. Dickinson, Biddle, Franklin, Wilson, Willing, Mifflin, Humphries, Morton, and Ross. Just previous to the meeting of Congress, the Battle of Lexington had been fought, and but shortly after followed Ticonderoga and Bunker Hill. To provide for effectual resistance was therefore the first business. An army, commanders, and money to maintain them in the field, were provided. Still the hope of reconciliation was cherished; and to manifest their desire for it and the sincerity of their determination to cease resistance when their grievances were redressed, it was agreed, upon the earnest appeal of Mr. Dickinson, to offer another petition to the King. Many were of the opinion

that it would prove fruitless and would be spurned, as it was. But, willing to leave no means untried to secure what they sought by peaceful endeavors, they consented to join in the appeal. Mr. Dickinson was charged with preparing it, and it was composed in his happiest vein. Upon its adoption, Richard Penn was deputed to present it before the throne. Penn lost no time in embarking, and, upon landing, travelled post-haste to London, where he offered it; but he was told, after some delay, that no answer would be made; and the King, in his speech from the throne, characterized it as designed "to amuse, by vague expressions of attachment to the parent State, and the strongest protestations of loyalty to their King, while they were preparing for a general revolt, and that their rebellious war was manifestly carried on for the purpose of establishing an independent empire."

There were parties in Parliament who looked upon this treatment as impolitic, and who made the house ring with their denunciation; but the King had determined to subdue the Americans, and the only concession which he thought of making was forgiveness for past offences when the Americans should meekly submit to his will. In response to these sentiments, Congress issued a declaration to the world of the causes of their taking up arms, in which they said: "We are reduced to the alternative of choosing an unconditional submission to the tyranny of irritated ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honor, justice, and humanity forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them if we basely entail hereditary bondage upon them."

The history of the composition of this paper is singular, and illustrates the critical nicety with which the members of that body examined and passed upon their utterances, and

how jealous they were of their honor and their integrity in the preparation of their state papers. The intelligence of the Battle of Bunker Hill had scarcely been received, when a committee was appointed to prepare an accurate account of the battle and of those which preceded it, together with the reasons which actuated the Colonies in their resistance. It was desirable that the history of these transactions should be truly represented, as the knowledge of them was flying upon the wings of the wind, and would soon be echoing in the remotest parts of the civilized world. The preparation of this manifesto was first entrusted to John Rutledge. His draft was reported, but it failed to satisfy this critical Congress. It was referred back to the committee, and two new members were added, Thomas Jefferson and John Dickinson. Jefferson next tried his hand, but failed to satisfy the committee, and it was finally entrusted to Mr. Dickinson. In plain but strong and effective language he described the aggressions of British troops in America, the slaughter of citizen soldiery on the fields of Lexington and Bunker Hill, and so pleaded the cause for which they were contending that it could not fail to excite the sympathies of all foreign nations, and bind together, in indissoluble bands, the hearts of all America. In concluding his statement he adopted three or four paragraphs from Mr. Jefferson's draft, full of the sounding eloquence which characterized the latter's Declaration drawn a year later. Mr. Dickinson's composition was reported, and met the approval of Congress, and was, on the 5th of July, 1775, adopted. It was sent forth to the world; it was read from the pulpit, at the head of departing regiments, and in the field where stood the men who had fought the battles which it described. It was received with unbounded enthusiasm. When read at the head of General Putnam's Division, the soldiers "shouted in three huzzas a loud amen!"

The Colonies which longest clung to the idea of conciliation, and the most determinedly resisted Independence, were New York, Pennsylvania, and Maryland. One of the stout-

est leaders in that resistance in Congress was Mr. Dickinson. Others opposed his arguments, but all acknowledged his integrity and the sincerity of his purposes. "He was so honest a man," says Mr. Jefferson, "and so able a one, that he was greatly indulged, even by those who could not feel his scruples." On the 7th of June, 1776, Richard Henry Lee, of Virginia, moved, and John Adams, of Massachusetts, seconded, in Congress, the proposition that the "United Colonies are, and of right ought to be, free and independent States; and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." Upon this resolution, which was the real Declaration of Independence, the principal discussion occurred. Mr. Dickinson opposed it. "Prudence," he said, "required that they should not abandon certain for uncertain objects. Two hundred years of happiness, and present prosperity, resulting from English laws and the union with Great Britain, demonstrated that America could be wisely governed by the King and Parliament. . . . Shall the transports of fury sway us more than the experience of ages, and induce us to destroy, in a moment of anger, the work which has been cemented and tried by time? . . . Even when supported by the powerful hand of England, the Colonists had abandoned themselves to discords, and sometimes to violence, from the paltry motives of territorial limits and distant jurisdictions. What, then, might they not expect when their minds were heated, ambition roused, and arms in the hands of all?"

But the utmost endeavors of Mr. Dickinson in opposition to the Declaration could have little influence in staying the tide which was now setting in its favor with resistless power. A majority of the Pennsylvania delegation sided with him; but when he discovered that the resolution would be carried by a large majority, he, together with Mr. Morris, absented himself from the session when the final vote was taken, thus enabling Pennsylvania to record her verdict in its favor. The formal Declaration, of which this resolution was the substance, drawn by Mr. Jefferson, was then adopted; but the

name of Mr. Dickinson does not appear as one of the signers of that immortal instrument. For his opposition to this measure he lost the support of a majority of the Assembly of Pennsylvania, and he was for two years dropped from the public councils of the nation.

But when the Declaration was once adopted, and the young nation girded itself for a mighty struggle with the giant parent country, Mr. Dickinson did not withhold his influence or his personal aid, but, shouldering his musket, he went to the field as a volunteer private, from which position he rose to the rank of a brigadier-general in the army. The action on his part was in harmony with a declaration of principles which he had made for the government of his life. "Two rules," said he, "I have laid down for myself throughout this contest, to which I have continually adhered and still design to adhere: First, on all occasions when I am called upon as a trustee for my countrymen, to deliberate on questions important to their happiness, disdaining all personal advantages to be derived from a suppression of my real sentiments, and defying all dangers to be risked by a declaration of them, openly to avow them; and secondly, after thus discharging this duty, whenever the public resolutions are taken, to regard them, though opposite to my opinion, as sacred, because they lead to public measures in which the common weal must be interested, and to join in supporting them as earnestly as if my voice had been given for them. If the present day is too warm for me to be calmly judged, I can credit my country for justice some years hence."

In April, 1779, Mr. Dickinson was unanimously elected to Congress from the State of Delaware, and in the following month he was again busy with his pen, having been appointed to prepare an address to the people of the United States on the duties and perils of the hour. Recruiting was sluggish; the army was ill fed, and scarcely paid at all; the currency was fearfully depreciated, and discouragement was everywhere met. To arouse the people to a sense of patriotic duty at this dark hour was the aim in the prepa-

ration of this paper. Nobly did he acquit himself in the important trust, challenging, by his persuasive power, renewed applause.

In 1780, Mr. Dickinson was elected to represent the county of New Castle in the Assembly of Delaware, and was in the same year unanimously chosen President of that State. Two years later he was elected President of the Supreme Executive Council of Pennsylvania. He was chosen by the party which favored a revision of the Constitution in opposition to Mr. Porter. During his administration the struggle for Independence was maintained in the northern and southern extremities of the nation, the central portion being little disturbed. Arnold, after his treason, went to Virginia as a British officer, where he made war with a vengeful hand. In the Carolinas and Georgia, active operations were pursued with varying success, the Count d'Estang upon the coast again lending his aid to the American cause. In Connecticut a vexatious warfare was also kept up. Finally, on the 19th of October, 1781, the British army under Cornwallis surrendered to the combined naval and land forces of France and America, and the long struggle was substantially at an end. In the prosecution of these operations the powerful aid of Pennsylvania was at no time wanting, and the State Government was administered in such a way as to uphold the hands of the central power.

Mr. Dickinson at all times manifested an abiding interest in the subject of liberal education, and contributed largely of his fortune and his influence to the establishment of the college at Carlisle, the charter for which was granted during his administration. Happily the name of the most famous political writer of that period is perpetuated in this noble institution. "In memory of the great and important services rendered to his country by his Excellency, John Dickinson, Esq., President of the Supreme Executive Council, and in commemoration of his very liberal donation to the institution, the said college shall be forever hereafter called and known by the name of DICKINSON COLLEGE." Mr. Dickinson

was made the first President of its Board, and continued to act in that capacity until the day of his death. Through his influence and that of Benjamin Rush, Dr. Nisbet, a Scotch divine of great learning and ability, was induced to accept the presidency of the institution, through whom a foundation was laid for giving thorough and erudite training.

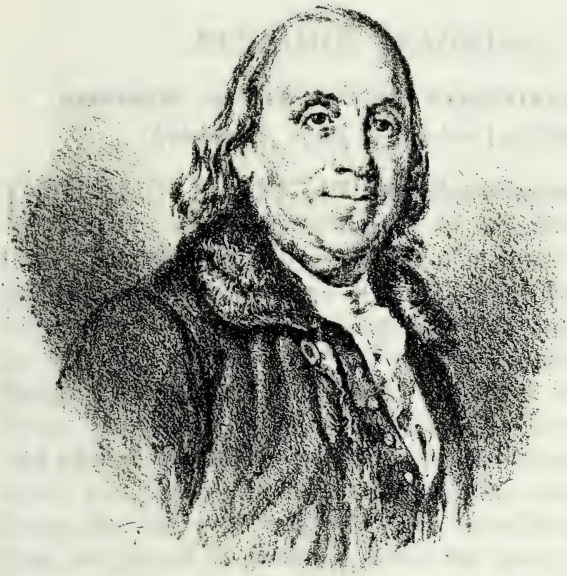
In the Convention of 1789, which framed the Constitution of the United States, and over which Washington presided, Mr. Dickinson was a member from the State of Delaware. Schooled in the early government of the Colonies, a chief actor in bringing the people to united effort against the encroachments of power, and in drawing the Articles of Confederation, he came to the task of preparing a new frame of government suited to the nation in its changed condition, with the most abundant resources. In framing that instrument he performed a most important part. But when it came to be promulgated, though it bore the sanction and the great name of the Father of his Country, it met with violent opposition. In supporting it and urging its adoption, no pen was more busy or more effective than that of Mr. Dickinson. The Letters of Fabius, nine in number, devoted to an exposition of the instrument and an illustration of the great advantages to be derived from its acceptance, were written by him, and contributed in a good degree to allaying opposition and winning the popular mind.

In 1792 he was a delegate to the convention which sat for the revision of the Constitution of the State of Delaware, where, as would be anticipated, he exerted an overshadowing influence. In 1797, when France was in the throes of revolution, Mr. Dickinson again took up his pen to plead the inalienable rights of man, which in the morning of life he had so eloquently advocated, and the result was a series of letters over the signature of Fabius, which attested that the fountains of patriotism had not been dried by age.

John Adams visited Mr. Dickinson at his country seat at Fair Hill, near Philadelphia, in 1774, and notices the beautiful prospect of the city, the river, and the country, fine gar-

dens, and a very grand library, mostly collected by his father-in-law, Mr. Norris. Mr. Dickinson he describes as a very modest man, and very ingenuous as well as agreeable. In personal appearance, says Adams, "he is a shadow; tall, but slender as a reed; pale as ashes; one would think at first sight that he could not live a month; yet, upon a more attentive inspection, he looks as if the springs of life were strong enough to last many years."

Mr. Dickinson married, on the 19th of July, 1770, Mary Norris, only daughter of Isaac Norris, eminent in the government of the Colony. Two daughters survived him. He died at Wilmington, Delaware, where he had taken up his residence, on the 14th of February, 1808, aged seventy-five years.



Benj. Franklin



## BENJAMIN FRANKLIN,

PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL,
*October* 18, 1785, *to October* 14, 1788.

BENJAMIN FRANKLIN, fifth President of the Supreme Council, was born at Boston on the 17th of January, 1706. He was the youngest son of a family of seventeen children, by two marriages — seven by the first and ten by the last — and "was the youngest son of the youngest son for five generations back." For three hundred years the family had lived on a freehold of about thirty acres in Ecton, Northamptonshire, England, the eldest son during that whole time having been bred to the business of a smith, which was prosecuted in connection with that of the farm. Josias, the father of Benjamin, with his wife and three children, emigrated to America about the year 1682. He was induced to abandon the land, where for so long a period the family had dwelt, by religious persecution. "Conventicles being at that time prohibited," says Dr. Franklin, in that enchanting piece of autobiography which he has left, "and frequently disturbed, some considerable persons of his acquaintance determined to go to America, where they hoped to enjoy the free exercise of their religion, and my father was prevailed on to accompany them." The devise which the family adopted to read unmolested the Scriptures was ingenious. "They had an English Bible, and to conceal it the more securely they conceived the project of fastening it, open, with packthreads across the leaves, on the inside of the lid of the close-stool. When my great-grandfather wished to read to his family, he reversed the lid of the close-stool

upon his knees, and passed the leaves from one side to the other, which were held down on each by the packthread. One of the children was stationed at the door to give notice if he saw the proctor (an officer of the spiritual court) make his appearance. In that case the lid was restored to its place, with the Bible concealed under it as before."

The mother was Abiah Folger, daughter of Peter Folger, one of the first colonists of New England, of whom Cotton Mather, in his Ecclesiastical History, speaks as "a pious and learned Englishman." Benjamin was put to a grammar-school at the age of eight, being destined by his father for the Church; but at the end of a year of wonderful progress, the father, overburdened with the support of a large family, was obliged to change his purpose, and removed the son to a school for writing and arithmetic, preparatory to a business life. At the age of ten he was called home to assist his father, who was a soap-boiler and tallow-chandler, and the education obtained during this brief interval of less than two years was all the school instruction he ever received.

Not satisfied with this occupation, he felt, he says, a strong inclination for a sea life; but his father set his face against it. After suggesting a variety of occupations, that of a printer was settled upon, and he passed forever from the paternal roof. Of the excellent qualities of his parents he everywhere speaks in the most unqualified terms. "My father had an excellent constitution, was of a middle size, but well made and strong. . . . His greatest excellence was a sound understanding and solid judgment in matters of prudence, both in public and private life. . . . My mother was likewise possessed of an excellent constitution. She suckled all her ten children, and I never heard either her or my father complain of any other disorder than that of which they died — my father at the age of eighty-seven, and my mother at eighty-five."

Naturally given to books, by great industry during the intervals of the hours of labor, often protracted till late at night, he soon acquired a great fund of information, which

he turned to account by composing anonymous articles for a newspaper published by his brother, to whom he was apprenticed. By chance, some of his writing fell into the hands of his father, who commended the sentiment, the spelling, and pointing, but sharply criticised its style. The lesson was not lost, for he was induced to give greater heed to the structure and finish of his compositions, using with great advantage as a model some of the essays of Addison, which he chanced to find in an odd volume of the Spectator.

Dissatisfied with the treatment of his brother, who seems to have manifested little fraternal affection, at the age of seventeen, without giving any intimation of his purpose to his friends, he left Boston, and proceeded to New York, where he sought employment of William Bradford. Having no place for him, Bradford recommended him to his son in Philadelphia, and thither he proceeded. He has himself given a most graphic account of his first entrance into that city; of his arrival weary and hungry; of the purchase of the three rolls, and his wandering through the streets with one under each arm, eating the third; of being seen and noticed, as he passed along, by Miss Read, whom he afterwards married; of his entering the Quaker meeting-house, and, overcome by fatigue, of sleeping till all had departed; and of his employment by Keimer as a journeyman printer. Of the character of Keimer, he furnishes a very good incident. Knowing him to be a great glutton, he induced him, by skilful arguments, to adopt a purely vegetable diet. For three months they together adhered to it. "I," he says, "continued it cheerfully; but poor Keimer suffered terribly. Tired of the project, he sighed for the flesh-pots of Egypt. At length he ordered a roast pig, and invited me and two of our female acquaintances to dine with him; but the pig being ready a little too soon, he could not resist the temptation, and ate it all up before we arrived."

It was in the year 1723, during the administration of Sir William Keith, that he first arrived in Philadelphia. Through

a letter written to a brother-in-law, Holmes, at New Castle, the Governor, to whom it was shown, at once conceived a high opinion of the writer, and, upon returning to Philadelphia, sought him out, showed him many civilities, and concluded by urging him to set up in business for himself, offering to give him all the Government printing, and to furnish him with letters of credit in London for the purchase of the necessary outfit. Keith had no credit there for himself, much less for others. But this, Franklin did not know, and, relying upon his sincerity, was induced to make a voyage to England. Finding upon his arrival that he had been deceived, and that the Governor was noted for making promises which he never meant to fulfil, he sought employment as a printer, and for a year and a half worked diligently at his trade, writing and publishing, in the mean time, a pamphlet on "*Liberty and Necessity, Pleasure and Pain*," in answer to certain passages in "Woolaston's Religion of Nature."

At the end of that time he returned to Philadelphia, and, after working awhile with his old employer, Keimer, commenced business on his own account. He was industrious, frugal, temperate, careful of his credit, and prosperity soon marked his every step. Of his moral convictions at this period he says: "I was at last convinced that truth, probity, and sincerity in transactions between man and man were of the utmost importance to the happiness of life; and I resolved from that moment, and wrote the resolution in my journal, to practise them as long as I lived." And of his business habits he says: "Thus, before I entered on my own new career, I had imbibed solid principles and a character of probity. I knew their value, and I made a solemn engagement with myself never to depart from them."

At about this time Franklin was the moving spirit in establishing a lyceum or debating society, called the *Junto*, in which each member was obliged to propose in turn some question in morality, politics, or philosophy, for discussion, and once in three months read an essay of his own compo-

sition. It served Franklin a double purpose: it was an excellent school for politics and philosophy, a week being always given for preparation, and it procured him the acquaintance of the leading young men, who were thus interested to secure for him whatever business came in their way. In searching for the means by which he acquired the character of a wise and learned man, the Junto should not be overlooked, for here he not only attained to skill in speaking and writing, and the exact information necessary to perform his part, but he discovered the great power he was capable of exerting over his fellow-men.

In 1729 he purchased the *Pennsylvania Gazette*, which, by his skilful management, in time became the leading paper of the Province. The question of a re-issue of paper money being under discussion in the Assembly, he wrote and published a pamphlet entitled *A Modest Enquiry into the Nature and Necessity of Paper Currency.* He had debated the question in the Junto, and was master of the subject. His view prevailed in the Assembly. Though in a private station, his influence began thus early to be felt in legislation. A proposition was made by Franklin, in the Junto, that the members should bring what books they could spare to the room where the meetings were held, that they might be convenient for reference during their discussions, and serve the purpose of a general library; but this plan was attended with inconveniences and was soon after abandoned, each taking away the books he had contributed. Franklin now issued proposals for establishing a public library. Fifty persons at first subscribed each forty shillings, and, in addition, agreed to pay ten shillings annually. The number increased, and ten years later, in 1742, the association was incorporated as the Library Company of Philadelphia. Thomas Penn, who was most given to literary pursuits of any of the sons of William Penn, became a patron, giving money, several lots in the city for a building, and a large tract of unimproved land in Bucks County.

In 1732, Franklin commenced the publication of *Poor*

*Richard's Almanac*, which was continued for twenty-six years, and became very popular, having an annual sale of ten thousand copies. Its chief attraction was due to the bits of wit and wisdom it contained, maxims for the practice of industry and economy, thrusts at folly, and an occasional playful elegance. In the last number was published a collection of these sayings in the form of an harangue to the people, entitled the Way to Wealth. This was received with unbounded satisfaction, and the sayings of Poor Richard were in everybody's mouth. That money soon after became plenty in Philadelphia was attributed to the practice of its precepts. It was published on a broad sheet, to be framed for use and adornment to the walls of dwellings. Three translations of it were made into French, and it was published in modern Greek. The matter is often rough and homely, but always pointed, the dullest never being at a loss to apprehend its force. "Sloth," he says, "by bringing on diseases, absolutely shortens life. Sloth, like rust, consumes faster than labor wears; while the key often turned is always bright. But dost thou love life? then do not squander time; for that is the stuff life is made of. How much more than is necessary do we spend in sleep! forgetting that the sleeping fox catches no poultry, and that there will be sleeping enough in the grave. If time be of all things the most precious, wasting time must be the greatest prodigality. At the workingman's house hunger looks in, but dares not enter. Nor will the bailiff nor the constable enter; for Industry pays debts, but Despair increaseth them. Diligence is the mother of good luck. God gives all things to industry; then plough deep while sluggards sleep, and you will have corn to sell and to keep. One to-day is worth two to-morrows. If you were a servant, would you not be ashamed that a good master should catch you idle? Are you, then, your own master? be ashamed to catch yourself idle.

> I never saw an oft-removed tree,
> Nor yet an oft-removed family,
> That throve so well as one that settled be.

Three removes are as bad as a fire. If you would have your business done, go; if not, send. The eye of the master will do more work than both his hands. If you would have a faithful servant, and one that you like, serve yourself. If one knows not how to save as he gets, he may keep his nose all his life to the grindstone, and die not worth a groat at last. A fat kitchen makes a lean will.

> Women and wine, game and deceit,
> Make the wealth small, and the want great.

What maintains one vice would bring up two children. A small leak will sink a great ship. Fools make feasts, and wise men eat them. Buy what thou hast no need of, and ere long thou shalt sell thy necessaries. At a great penny-worth, pause awhile. Silk and satins, scarlet and velvets put out the kitchen fire. A ploughman on his legs is higher than a gentleman on his knees. Pride is as loud a beggar as want, and a great deal more saucy. It is hard for an empty sack to stand upright. Drink water, put the money in your pocket, and leave the dry belly-ache in the punch-bowl. Pride breakfasted with Plenty, dined with Poverty, and supped with Infamy.

> If you ride a horse, sit close and tight;
> If you ride a man, sit easy and light."

These trite sayings, thrown into the pages of an almanac to fill up vacant spaces, were little regarded by their author at the time; but they were caught up, and soon passed current even in foreign tongues, *Bon Homme Richard* attaining to as common use in France as Poor Richard at home, and it is doubtful if any of his more elaborate works will be as long treasured as these short sayings.

In 1736, he was chosen Clerk of the Assembly, which office he continued to fill till his election to that body, in 1747. But he did not allow this duty to interfere with the regular prosecution of his business as a printer and publisher of a newspaper. In the following year he was appointed Post-

master of Philadelphia. As early as 1683, William Penn had established a system of posts from Philadelphia to the principal settlements in Pennsylvania and Maryland. An Act of Assembly, regulating this system, was passed in 1700, eleven years before the Act of Anne, which established the system in England. In 1753, Franklin was appointed Deputy Postmaster-General of the Colonies, and by his judicious management, and close scrutiny of its affairs, caused it to produce a revenue to the Crown, whereas it had before been a considerable burden. At the opening of the quarrel between the Colonies and the mother country, he was removed; but in 1775, when Congress assumed the Colonial Government, he was appointed the first Postmaster-General under the new power. It was as Postmaster that Franklin went to Braddock, at Frederick, Maryland, when that general, in a fit of discouragement, was about giving up his campaign against the French and Indians at Fort Du Quesne, for want of transportation. And then was seen his great personal popularity; for, going among the farmers, he soon had all the wagons he desired, and horses in large numbers, with only his simple security for payment. When, after the defeat and death of Braddock, settlement was demanded, it came near involving Franklin in utter ruin; and would have done so had it not been for the timely assistance of Government.

When, in 1755, soon after this defeat, the French and Indians were laying waste the frontier, perpetrating the most fiendish barbarities, and the Government, by reason of the disagreements between the Assembly and the Governor, was powerless to protect, Franklin proposed a voluntary association for defence, as he had done in a like emergency ten years before, and soon had a large force enrolled. He marched at the head of his regiment to the scene of the massacres, established a line of posts in mid-winter, and put the frontier in an attitude of defence. By his influence an Act was passed authorizing volunteer militia organizations, provided each volunteer furnished his own arms and equipments.

At this period Franklin was much absorbed by his investi-

gations in the science of electricity. The account of the previous experiments and studies of philosophers upon the subject were sent to him in 1745, and by the year 1752 he had completed his grand discoveries by which he had demonstrated the identity of the electricity excited by friction of glass and that of the clouds. Patiently, in the intervals of business, he had perfected his theory, and going forth, armed with a simple kite, to meet the thunder-storm, — making his son his sole confidant, for fear of ridicule, — he patiently awaited the descent of the fluid from the passing cloud; and when, at length, he saw indications of its presence, and, reaching forth his hand, received the shock, to his unspeakable joy he saw his theory demonstrated and fit to take its place as a portion of verified science. The memoirs detailing his experiments were published in Europe, and at once excited the interest and the admiration of the learned. The reigning monarch of France commanded a return of his thanks to Mr. Franklin, "for his useful discoveries in electricity." Sir Humphrey Davy said of him: "A singular felicity of induction guided all his researches, and by very small means he established very grand truths. The style and manner of his publications on electricity are almost as worthy of admiration as the doctrine it contains. He has endeavored to remove all mystery and obscurity from the subject. He has written equally for the uninitiated and for the philosopher; and he has rendered his details amusing and perspicuous, elegant as well as simple. Science appears in his language in a dress wonderfully decorous, best adapted to display her native loveliness. He has in no instance exhibited that false dignity by which philosophy is kept aloof from common applications, and he has sought rather to make her a useful inmate and servant in the common habitations of man than to preserve her merely as an object of admiration in temples and palaces."

Franklin was elected a member of the Legislature in 1747, where he at once took a prominent part, leading the party which opposed the Proprietary claims, and writing many of

the answers to the messages of the Deputy Governors. In 1749, he drew the plan for establishing an Academy, which finally resulted in the present University of Pennsylvania. Twenty-four of the most respectable citizens were named as trustees, and when the plan was published, so popular was it, that eight hundred pounds a year for five years were subscribed for its support, and in the beginning of the following year three schools, that of Latin and Greek, of Mathematics, and of English, were opened. A charity school and college were afterwards engrafted upon the plan, and it soon grew to great usefulness and prosperity. He was also instrumental, in connection with his friend, Dr. Bond, in establishing the Pennsylvania Hospital.

At the first Colonial Congress held at Albany, in 1754, he was a member, and brought forward his plan of a general government, vested in a President-General appointed by the Crown, and a Legislature of forty-eight members, apportioned among the States in numbers proportioned to population and wealth. It was discussed and adopted nearly as proposed, but was rejected by both Crown and Colonies. It is a singular circumstance that the plan which Franklin here advocated for raising revenue by stamp-duties was the identical one which was subsequently adopted by the British Parliament, but with this vital difference: in the one case it was to be laid by themselves, and in the other by the British Government, a power foreign to them.

The long disputes between the Proprietors and the Assembly respecting the taxing of Proprietary estates finally culminated in the issuing an address by the former to the Crown, praying its interposition to save the Colony from the powerful Proprietary interests; and Franklin was appointed as agent to represent the cause of the Assembly at Court. The contest was now transferred to a new theatre, the Proprietors resisting the demands at every step. It was finally settled by the Proprietors yielding the chief point in dispute. He remained in England as the agent of Pennsylvania, and he was, in addition, made the representative of Massachusetts,

Maryland, and Georgia. Franklin's presence in England was the occasion of interest to the learned on account of his discoveries in Electricity. The Royal Society of London elected him one of its members. The University of St. Andrews, Scotland, conferred upon him the degree of Doctor of Laws, and the Universities of Edinburgh and Oxford hastened to bestow the like distinction.

While in England he issued his Canada Pamphlet, calling attention to the importance, to the British Crown, of possessing that part of the continent which was then under the dominion of the French. Stimulated by his views, the Government planned a vigorous campaign, which resulted in the victory of Wolfe over Montcalm, and the conquest of the entire Province.

He returned to America in 1762. He had been annually elected a member of the Assembly during his absence, and upon his arrival took his seat in that body. For the session of 1764, he was defeated by a small majority after having been elected for fourteen consecutive years. But his friends in the Assembly were still in the ascendant, and he was again chosen to represent the Colony at Court, and to present a petition asking for a change of Colonial government from Proprietary to regal, the old controversy having been renewed. During his stay in England, and immediately after the dismissal of Grenville from the British Cabinet, the question of the repeal of the odious Stamp Act was under consideration, and as a means of eliciting information, Franklin was examined before the House of Commons.

"What," he was asked, "was the temper of America towards Great Britain, before the year 1763?"

"The best in the world. They submitted willingly to the government of the Crown, and paid, in all their courts, obedience to the acts of Parliament. Numerous as the people are in the several old Provinces, they cost you nothing in forts, citadels, garrisons, or armies to keep them in subjection. They were governed by this country at the expense only of a little pen, ink, and paper. They were led by a

thread. They had not only a respect, but an affection for Great Britain, for its laws, its customs, and manners, and even a fondness for its fashions, that greatly increased the commerce. Natives of Great Britain were always treated with particular regard; to be an Old-England man was, of itself, a character of some respect, and gave a kind of rank among us."

"And what is the temper now?"

"Oh, very much altered."

"If the Act is not repealed, what do you think will be the consequences?"

"A total loss of the respect and affection the people of America bear to this country, and of all the commerce that depends on that respect and affection."

"Do you think the people of America would submit to pay the stamp duty if it was moderated?"

"No, never, unless compelled by force."

Great respect was felt for the views and opinions of Franklin. He was looked up to as a sort of oracle in matters of politics, and not long afterward the Act was repealed.

In the year 1766 he travelled in Holland and Germany, where he was received with marks of distinction by the learned. In the following year he visited France, and was presented to King Louis the XV., and leading men of genius in the metropolis. He continued to represent the Colony for a period of over ten years, during which time he was most industrious in pleading the general interests of all the Colonies, endeavoring by argument and entreaty, by correspondence and personal intercourse, to prevail upon the Ministry to abandon their unjust and oppressive measures.

One of the most noted incidents which occurred during this period was his appearance before a Committee of the Privy Council, in 1774, on the hearing of the petition of the people of Massachusetts for the recall of Governor Hutchinson and Lieutenant Governor Oliver, who had written letters from that Province to men high in official stations, inveighing against the leading citizens in the most bitter terms, and

urging the prosecution of vigorous measures to compel obedience to British enactments. These letters came to the notice of Franklin, who had them published and sent to America, which gave occasion to the petition for their removal. Burke, Priestly, Jeremy Bentham, and men the most eminent in the kingdom, were present as witnesses of the scene. Wedderburn, the Solicitor-General of the Crown, assailed him with bitter terms of reproach and invective, the whole Court, with the exception of Lord North, treating him in the most rude and undignified manner. "Into what companies," exclaimed Wedderburn, "will the fabricator of this iniquity hereafter go with an unembarrassed face, or with any semblance of the honest intrepidity of virtue! Men will watch him with a jealous eye — they will hide their papers from him, and lock up their escritoires." Bentham thus described the venerable demeanor of Franklin in this trying ordeal: "Alone, in the recess, on the left hand of the President, standing, remaining the whole time like a rock in the same posture, his head resting on his left hand, and in that attitude abiding the pelting of the pitiless storm." Franklin responded that the letters were from public men, upon subjects pertaining to the public interests, in which the people whom he represented were deeply involved, and that the transmission of them was a public act. But the prejudices of the Court were all against him, and the petition was declared scandalous and vexatious, and its prayer refused. It was of a piece with the infatuation with which the Government was seized, and in which it persevered until the nation was rent.

Perceiving that little could be effected to stay the hand of power raised against the Colonies, he returned to America in 1775. On the day after his arrival he was elected, by the Assembly of Pennsylvania, a member of the Continental Congress, where he was at once laboriously employed. In the fall of this year he visited Canada for the purpose of inducing that province to join the Colonies, and to send delegates to Congress. His failure in this was said to have been due to religious animosities, which subsisted between the Canadians

and their neighbors, by whom their chapels had at different times been burned. He was a member of the committee which drew the Declaration of Independence, the passage of which he strongly advocated, and which he signed. In the same year he was president of the convention which adopted the new constitution of Pennsylvania, the main features of which were attributed to his mind, the single legislature and plural executive being favorite forms with him. Near the close of the year he was sent by Congress to France, to assist in securing an alliance with that power. This purpose was effected in February, 1778, and France thereby became involved in the war against England. By the surrender of Cornwallis at Yorktown, the British Cabinet finally came to see that their attempts to subdue the Colonies were futile, and on the 30th of November, 1782, articles of peace between the United States and Great Britain were concluded at Paris, through the agency of Franklin, Adams, and Jay. Formal treaties were subsequently concluded with Great Britain and other European nations, Franklin acting on the part of the United States in conducting the negotiations.

Feeling the infirmities of age coming upon him, and having now the satisfaction of seeing his country acknowledged as an independent power and taking its place among the nations of the earth, he became desirous of returning to his native land, and, upon his application to Congress, Mr. Jefferson was sent to relieve him. In September, 1785, he arrived in Philadelphia, and was received with the most flattering marks of respect and affection. Multitudes flocked to meet him, and a vast concourse, amid the ringing of bells, and the resounding of salvos of artillery, conducted him in triumph to his home. He was visited by the members of Congress and the principal inhabitants of the city; learned societies sent him congratulatory addresses; and on every hand joy for his return and veneration for his exalted character were manifested. He himself felt the highest satisfaction in being again settled in his own home. In a letter to a friend he says: "I am now in the bosom of my family, and find four new little prat-

tlers, who cling about the knees of their grandpapa, and afford me great pleasure. I am surrounded by my friends, and have an affectionate good daughter and son-in-law to take care of me. I have got into my *niche*, a very good house, which I built twenty-four years ago, and out of which I have been ever since kept by foreign employments."

But this retirement he was not permitted long to enjoy; for he was almost immediately chosen a member of the Supreme Executive Council, and not long afterwards, though now upon the verge of eighty, he was elected its President, which office he was chosen to fill annually for the constitutional period of three years. In addition to this, he was, in 1787, made a delegate to the convention which framed the Constitution of the United States, where his wisdom and long experience in governmental employments made his opinions regarded with almost the veneration of an oracle. The interests in that convention were so conflicting that it came near breaking up without agreeing upon a constitution, a motion for a final adjournment having been proposed before anything had been accomplished. At this critical moment the voice of the aged Franklin was heard advocating humiliation before God, and a more earnest effort for agreement. "How has it happened, sir," he said, "that while groping so long in the dark, divided in our opinions, and now ready to separate without accomplishing the great object of our meetings, that we have not hitherto once thought of humbly applying to the Father of Light to illuminate our understandings? In the beginning of the contest with Britain, when we were sensible of danger, we had daily prayers in this room for Divine protection. Our prayers, sir, were heard, and they were graciously answered." He concluded by offering a resolution that, "henceforth, prayers, imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business."

In the same year the corner-stone of a college to be located at Lancaster, was laid, which in honor of the President, and as a grateful recognition of his generous benefactions, was

named Franklin College. Hector St. John, a learned Frenchman, was at the time travelling in this country, and in a work which he afterwards published in Paris, entitled, *Voyage dans la Haute Pennsylvanie*, he says: "In the year 1787, I accompanied the venerable Franklin, at that time Governor of Pennsylvania, on a journey to Lancaster, where he had been invited to lay the corner-stone of a college which he had founded there for the Germans." St. John records a conversation which occurred on the evening of the day of the ceremony, in which Franklin, in answer to a question by one of the citizens, gave an elaborate and critical account of the origin of the aborigines of this country, showing that his intellect was preserved, even at this great age, in its original vigor.

In 1788, at the close of his term of office as a councillor, and Governor of the State, he retired altogether from public employments. He had earned a title to leisure; but even now he was only content to enjoy it according to his own definition in his Poor Richard's sayings: *Leisure is time for doing something useful.* His tongue and his pen were still busy, and to amuse and help him to pass the hours agreeably, he had a small printing establishment set up in his room, where he busied himself as in his youthful days.

On the 17th of April, 1790, after a long and most eventful life, singularly devoted to the service of his country and the good of mankind, Franklin quietly breathed his last, having attained to the age of nearly eighty-five years. He was not an author by profession, and yet few have been more voluminous, or have written with as much thoughtful care. The number of his published works, aside from his vast correspondence, as enumerated by Sparks, amounts to three hundred and four. "They exhaust," says Duyckinck, "every method of doing good practically, which fell within the range of his powers or experience. They are upon topics of individual and social improvement; of the useful arts, which adorn and ameliorate daily life; of the science which enlarges the powers of the mind and increases the comfort of the body; of political wisdom, extending from the direction

of a village to the control and prosperity of the state." In all his varied employments and benefactions, he always sought the elevation and permanent improvement of mankind. The authorities of a town in Massachusetts which had been named after him, sought the gift of a bell for their church. He sent instead a handsome collection of books for a library, expressing in his answer to the application the hope that the good people of Franklin preferred *sense* to sound.

The intelligence of his death created a profound sensation throughout America, and in Europe, where his name was greatly revered. Madison moved in Congress, that, "being informed of the decease of Benjamin Franklin, a citizen whose native genius was not more an ornament to human nature than his various exertions of it have been precious to science, to freedom, and to his country . . . . . as a mark of veneration due to his memory, the members wear the customary badge of mourning for one month." A like tribute was voted by the Assembly of Pennsylvania. In France, the honors paid to his memory were extraordinary. At Paris, where his person was familiar, and his peculiar talents justly appreciated, he was the subject of sincere mourning and highest eulogy. Mirabeau, the most eloquent of men, ascended the tribune, and spoke to an audience which hung in breathless silence upon his words, in that never-to-be-forgotten strain: "Franklin is dead! Returned into the bosom of the divinity is that genius which freed America, and rayed forth upon Europe torrents of light. The sage whom the two worlds alike claim — the man for whom the history of science and the history of empires are disputing — held, beyond doubt, an elevated rank in the human species. For long enough have political cabinets noticed the deaths of those who were only great in their funeral orations; for long enough has court-etiquette proclaimed hypocritical mourning. Nations should only wear mourning for their benefactors. The representatives of nations ought only to recommend to their homage the heroes of humanity. The Congress has or-

dained, in the thirteen States of the Confederation, a mourning of two months for the decease of Franklin; and America is acquitting at this very moment that tribute of veneration for one of the fathers of her Constitution. Would it not be worthy of us, gentlemen, to join in that religious act; to participate in that homage, rendered, before the face of the universe, both to the rights of man, and to the philosopher who has the most contributed to extend their acknowledgment over all the world? Antiquity would have raised altars to that vast and powerful genius, who, for the advantage of mortals, embracing in his aspirations heaven and the earth, knew how to tame tyrants and their thunderbolts. France, enlightened and free, owes at the least an expression of remembrance and regret for one of the greatest men who have ever aided philosophy and liberty. I propose that it be decreed that the National Assembly wear mourning during three days for Benjamin Franklin." The motion, which was seconded by Lafayette, was adopted in the Assembly by acclamation. The Abbe Fauchet delivered a eulogy upon his life and genius before the Commune of Paris; and Condorcet, before the Academy of Sciences, portrayed his character in an elaborate oration. Colleges and learned societies throughout the United States vied in paying honors to his name, and in every generation since, the pen of the scientist, the poet, and the historian, has been busy in perfecting his praises. The following fragment of an Horatian ode, addressed to his memory by an obscure poet, John Parker, is a just tribute to his unaffected simplicity, and never varying integrity, which were among the most marked attributes of his character:

What diff'rence then can virtue claim
From vice, if it oblivious lie?
While I can sing your spotless name,
Your worthy deeds shall never die.

Nor shall oblivion's livid power
Your patriotic toils conceal:
Alike in good or adverse hour
A patron of the common-weal.

Forever faithful and sincere,
  Your hands from gilded baits are free:
The public villain stands in fear
  You should perpetual consul be.

The knave possest of shining pelf,
  Can never sway your honest choice:
For justice, emblem of yourself,
  Exalts above the rabble's voice.

Nor can we rank him with the blest,
  To whom large stores of wealth are given;
But him who of enough possest
  Knows how to enjoy the gifts of Heaven.

Who poverty serenely bears,
  With all the plagues the gods can send;
Who death to infamy prefers,
  To save his country or his friend.

# PART IV.

## GOVERNORS UNDER THE CONSTITUTION OF 1790.



Thos McKean

## THOMAS MIFFLIN,

PRESIDENT OF THE SUPREME EXECUTIVE COUNCIL,
*November* 5, 1788, *to December* 20, 1790.

GOVERNOR UNDER THE CONSTITUTION OF 1790,
*December* 21, 1790, *to December* 17, 1799.

THE venerable Franklin, then in his eighty-second year, determined, at the expiration of his term as President of the Council, to withdraw altogether from public employments. In casting about for a successor to so illustrious a man, none seemed more worthy than the soldier who, during the War of the Revolution, had been among the most able and devoted in the country's service. The choice fell upon Thomas Mifflin, and it is a distinction which he enjoys above all others who have been elevated to the enviable position of Chief Executive of the Commonwealth, both before and since, that he for the longest period exercised this power, having been two years President of the Council, and for three terms Governor, an aggregate of eleven years.

Thomas Mifflin was descended from one of the earliest settlers in Pennsylvania, and was born in Philadelphia, in 1744. It was the purpose of his father that the son should follow a mercantile profession, and his education was in a manner directed to that end, though he is described as having passed with reputation through the usual collegiate course. His parents were Quakers, and he was early trained in their faith and practices; but on taking arms at his country's call, his connection with that body was severed. Upon the completion of his school education, he entered the counting-house of William Coleman, whom Franklin por-

trays as one of the members of his celebrated *Junto*, and "who," he declared, "had the coolest, clearest head, the best heart, and the exactest morals of almost any man I ever met with. He became afterwards a merchant of great note, and one of our Provincial judges."

Upon attaining his majority he made the tour of Europe, spending considerable time in England and France. Returning with enlarged views of trade and commerce, as witnessed in the old marts of Europe, and with manners and tastes tinged by the modifying influences of travel, he entered into business partnership with his brother, in the city of Philadelphia, with little expectation of figuring prominently in one of the most momentous struggles for humanity that the world has ever seen. But in 1772, when only twenty-eight years of age, he was called from his mercantile pursuits to the more public and honorable duties of the council-chamber, having been elected one of the two members of the Legislature from the city of Philadelphia. He was re-elected on the following year, when he was a colleague of Franklin, then just returned from his mission to England.

So acceptable were his services in the Assembly, that when the appointment of delegates to the First Continental Congress came to be made, he was selected as one; and in that body, which has been pronounced, by the most competent authority, unrivalled for wisdom, ability, and sage counsel, among the great nations of antiquity or of more modern times, he occupied a position of commanding influence, and we find his name associated upon important committees with those of Henry, Livingston, Jay, Adams, and Rutledge. "When the news," says Dr. Rawle, his biographer, "of the battle of Lexington reached Philadelphia, a town meeting was called, and the fellow-citizens of Mifflin were delighted by his animated oratory. Other addresses were delivered on this solemn occasion, all of which partook of the same feeling; but, although the youngest of the speakers, Mifflin had the exclusive merit of suggesting the necessity of a steady adherence to the resolu-

tions that were adopted. The language with which he concluded was long remembered. 'Let us not,' he said, 'be bold in declarations, and afterwards cold in action. Let not the patriotic feeling of to-day be forgotten to-morrow, nor have it said of Philadelphia, that she passed noble resolutions, slept upon them, and afterwards forgot them!'"

He was through life noted for his fervid eloquence, and in arousing the populace to a sense of the danger which threatened them in the opening era of the revolution, his tongue was often unloosed, and never without instant and electric effect. But his was a hand to do as well as to point the way. When troops were to be enlisted and drilled, he was among the foremost to organize and train them, and was selected as Major of one of the earliest formed regiments. The patriot blood spilled at Lexington and Concord fired a martial spirit throughout America, by which the bold leaders in every State were nerved to resist and resent those unprovoked assaults; and when Washington appeared at the camp in Boston as the Commander-in-chief of the American armies, Mifflin was by his side. Recognizing his great personal popularity, the ease and dignity of his manners, the breadth and soundness of his views, Washington placed him at once at the head of his military family. In the absence, or at the retirement from the table of the chief, it fell upon Mifflin to occupy his place, and do the honors; and for this duty, by his social position at home and his foreign travel, he was admirably fitted. "This his [Washington's] station, as Commander-in-chief," says Irving, "required to be kept up in ample and hospitable style. Every day a number of his officers dined with him. As he was in the neighborhood of the seat of the Provincial government, he would occasionally have members of Congress and other functionaries at his board. Though social, however, he was not convivial in his habits. He received his guests with courtesy; but his mind and time were too much occupied by grave and anxious concerns, to permit him the genial indulgence of the table. His own diet was extremely simple. Sometimes nothing but baked apples or

berries, with cream and milk. He would retire early from the board, leaving an aid-de-camp or one of his officers to take his place. Colonel Mifflin was the first person who officiated as aid-de-camp. He was a Philadelphia gentleman of high respectability, who had accompanied him from that city and received his appointment shortly after their arrival at Cambridge." *

The British army occupied the town of Boston, while that of Washington was encamped before it, and was employed in checking the enemy's movements and in striking his foraging parties. In an affair with one of these parties, Mifflin had his first experience of hostile encounter. "A detachment," says Dr. Rawle, "had been sent from the British army to a place called Lechmire's Point, for the purpose of collecting cattle. Mifflin solicited and obtained the command of a party to oppose them, and succeeded, with half-disciplined militia, in repelling the regular soldiery. An eye-witness, the aged and venerable General Craig, declared to the writer, that he 'never saw a greater display of personal bravery than was exhibited on this occasion in the cool and intrepid conduct of Colonel Mifflin.'"

On the 4th of July, 1775, Washington issued a general order to his troops, directing their attention to the importance of strict obedience, and commending them to the guidance of Heaven. He also proceeded to organize the entire army. The difficult position of Quartermaster-General he assigned to Mifflin. The duties were new and arduous. Everything was in confusion. Order had to be established, system to be inaugurated, and a vigilant watchfulness maintained that the army should want for nothing which could contribute to its efficiency and to its comfort.

When the routine had in a measure been confirmed, and discipline began to sit easily and naturally upon the troops, Mrs. Washington came to headquarters, and greatly assisted in entertaining the numerous guests who were constantly flocking thither. The headquarters of the several general

* Irving's Washington, Vol. II. p. 13.

officers were maintained with considerable state. Not the least pretentious was that of Mifflin. Graydon describes him at this period as "a man of education, ready apprehension, and brilliancy, very easy of access, with the manners of genteel life, though occasionally evolving those of the Quaker;" and John Adams, who visited him during a recess of Congress, says, "I dined at Colonel Mifflin's with the General (Washington) and lady, and a vast collection of other company, among whom were six or seven sachems and warriors of the French Caughnawaga Indians, with their wives and children. A savage feast they made of it, yet were very polite in the Indian style. I was introduced to them by the General as one of the grand council at Philadelphia, which made them prick up their ears. They came and shook hands with me."*

On the 19th of May, 1776, Congress appointed and commissioned Mifflin to be a Brigadier-General, and he was given command of Pennsylvania troops. An assignment to the field was much more to his taste than one at headquarters, though it were that of Quartermaster-General of the army. "He assumed," says Graydon, who visited him about this time, "a little of the veteran, from having been before Boston." In August he was stationed at King's Bridge in command of the regiments of Shee and Magaw. General Heath, who reviewed them there, says, "They are the best disciplined of any troops that I have yet seen in the army."

After the battle of Long Island, disastrous to the Americans, Washington found it necessary to withdraw altogether from the Island. To do so in the presence of the enemy, now in his immediate front, on the alert for an advantage and greatly outnumbering him, was a difficult matter. The means of transportation were but insignificant — a few row-boats and transports, the latter useless except with favoring winds. Fortunately, the night of the 29th of September was foggy, and under cover of this Washington determined to attempt the withdrawal. Nine thousand men, with all the munitions

* Letters of John Adams, Vol. I. p. 85.

of war, were to be transported. Mifflin, with his Pennsylvania troops, had been brought down from King's Bridge a day or two before. "Every eye brightened as they marched briskly along the line with alert step and cheery aspect." When it was determined to retire, these troops were selected to cover the movement, a most difficult and dangerous part.

Irving, in his Life of Washington, gives a vivid account of the incidents of this remarkably successful manœuvre. "It was late in the evening," he says, "when the troops began to retire from the breastworks. As one regiment quietly withdrew from their station on guard, the troops on the right and left moved up and filled the vacancy. There was a stifled murmur in the camp, unavoidable in a movement of the kind; but it gradually died away in the direction of the river as the main body moved on in silence and order. . . . The embarkation went on with all possible dispatch under the vigilant eye of Washington, who stationed himself at the ferry, superintending every movement. In his anxiety for dispatch, he sent back Colonel Scammel, one of his aids-de-camp, to hasten forward all the troops that were on the march. Scammel blundered in executing his errand, and gave the order to Mifflin likewise. The General instantly called in his pickets and sentinels, and set off for the ferry.

"By this time the tide had turned; there was a strong wind from the north-east; the boats with oars were insufficient to convey the troops; those with sails could not make headway against wind and tide. There was some confusion at the ferry, and in the midst of it, General Mifflin came down with the whole covering party, adding to the embarrassment and uproar.

"'Good God! General Mifflin!' cried Washington, 'I am afraid you have ruined us by so unseasonably withdrawing the troops from the line.'

"'I did so by your order,' replied Mifflin, with some warmth. 'It cannot be!' exclaimed Washington. 'By G—, I did!' was the blunt rejoinder. 'Did Scammel act as aid-de-camp for the day, or did he not?' 'He did.' 'Then,'

said Mifflin, 'I had orders through him.' 'It is a dreadful mistake,' rejoined Washington, 'and unless the troops can regain the lines before their absence is discovered by the enemy, the most disastrous consequences are to be apprehended.'

"Mifflin led back his men to the lines, which had been completely deserted for three quarters of an hour. Fortunately, the dense fog had prevented the enemy from discovering that they were unoccupied. The men resumed their former posts, and remained at them until called off to cross the ferry. 'Whoever has seen troops in a similar situation,' writes General Heath, 'or duly contemplates the human heart in such trials, will know how to appreciate the conduct of these brave men on this occasion.'" *

Upon taking the field, Mifflin was relieved of the duties of Quartermaster-General, and General Stephen Moylan was appointed to succeed him. Moylan was a gentleman of habits ill suited to the difficult task of providing for an army where the authority for calling in supplies was little respected, and the means of paying for them was rarely in hand; and not long after accepting the position, abandoned it. Mifflin was importuned to resume its duties, and Congress passed a formal resolve, requesting him to again undertake their discharge. It was a sacrifice to yield the chance of distinction to which he was now in a fair way, and give himself to the most trying labors with no hope of advancement. But, obedient to the call of his country, and a sense of duty, he withdrew from his command and devoted himself most industriously to his old task.

The reverses of the American army during the summer and fall of 1776 culminated in its withdrawal into New Jersey, hotly pursued by the British troops. Pennsylvania was threatened, and especially Philadelphia, where Congress was sitting. At this dark hour, General Mifflin was sent with despatches from Washington to Congress, calling on that body loudly for help. Mifflin, at the request of Congress, made a stirring address, setting forth the perilous situation,

* Irving's Life of Washington, Vol. II. pp. 313-315.

and appealing, in that fervid strain of eloquence of which he was master, for the means to oppose the further advance of a defiant enemy. That body was greatly exercised, and immediately ordered that General Mifflin should remain near Congress for consultation and advice, notifying the Commander-in-chief of its action. As the American army continued to fall back, and the enemy to advance, the peril became every day more imminent. General Putnam was sent to take command in Philadelphia, and General Mifflin was placed in charge of the war material and stores deposited in the city.

The victory at Trenton, near the close of December, produced a gleam of hope; and taking advantage of the encouragement which it inspired, Congress determined to send some one capable of arousing the masses throughout the State of Pennsylvania, in order that, by his personal appeals, they might be drawn to the support of Washington's decimated ranks. No man was better fitted than General Mifflin, and he was designated for that duty. The Assembly was requested to send a suitable committee to accompany him on his mission, which was accordingly done. He visited the principal places throughout the Commonwealth, and from the stump, the court-house, and the church were heard with delight his spirit-stirring words. The work of recruiting was revived, and the ranks of the army were visibly strengthened. In acknowledgment of his services on this occasion, Congress bestowed on him, in the following month, the rank of Major-General.

His duties as Quartermaster-General were continued, though called to other and arduous cares, and in the fall of this year they were still further increased by his appointment as a member of the Board of War, established by Congress, which consisted of three members, General Mifflin, Timothy Pickering, and Robert H. Harrison. It was provided that the members of this Board should be composed of military men, not members of Congress, in order that professional advice and counsel might always be at the service of that body. Harrison declined to serve, and General Gates, Colonel

Joseph Trumbull, and Richard Peters were added, making the number five, of which Gates was chosen president.

Overborne with the cares and responsibilities of his various offices, General Mifflin's health became so much impaired that he deemed it advisable to withdraw from active duty, and sent in his resignation; but Congress refused to accept it, and he continued to discharge the duties imposed, though obliged to leave much to his subordinates. As a consequence, his affairs were involved in some confusion, and complaints were heard of pressing wants in the army which were not supplied. It was the darkest hour in the whole course of the war. The British army was quartered in the city of Philadelphia, rioting in profusion, while Washington, and his half starved, indifferently clothed troops, were perishing in wretched cantonments at Valley Forge. It was next to impossible to obtain supplies, and the depreciated paper currency with which the farce of payment was made, furnished little inducement for those who had the needed articles to bring them forward. Mifflin contended that he ought not to be held responsible for the conduct of those over whom he had no efficient control. Congress held that the head of a department was accountable for the entire management of all its operations, whether by principal or deputy. So far as his own accounts were concerned, they were known to be correct, the confusion complained of being the work of subordinates.

In March, 1778, a successor, in the person of General Greene, was appointed, and General Mifflin was directed to render "a statement of the preparations for the next campaign, and deliver the articles on hand to him."

As the time drew near when it was evident that the enemy would be obliged to evacuate Philadelphia, and an active campaign would open, General Mifflin sought and obtained leave to join the army in the field. "By one of those strange vacillations," says Dr. Rawle, "to which public bodies are always liable, Congress, after having at different times manifested almost unbounded confidence, suddenly requested General Washington to make an inquiry into his conduct, and if

the distresses of the army were owing to his misconduct, or that of his inferior officers, to order a court-martial. We may reasonably suppose that this procedure arose from clamors with which Congress was beset, and which they knew not how otherwise to appease." As for General Mifflin, he was ready and anxious for an examination. Being unable to obtain one, he again returned his commission to Congress; but that body knew too well the great services that he had rendered, and was capable of rendering, to accept it, and his resignation was again refused.

Scarcely a month from this time, Congress placed in his hands a million of dollars with which to settle the claims outstanding during his administration. No better evidence than this is needed of the entire confidence of the Government in his absolute integrity and virtue. As a further proof of the faith which was placed in his capacity and judgment, he was, in January, 1780, appointed by Congress a member of a board to examine and devise means for retrenching the general expenses, and a vote of thanks was tendered for the "wise and salutary plans recommended."

The despondency and gloom which settled down upon the nation during the winter of 1777, in which the army was at Valley Forge and the enemy in Philadelphia, produced such results as would be expected. It was a season of fault-finding. Pennsylvanians were especially impatient at beholding the fairest portions of the State given over to the enemy, and its metropolis a prey to the spoiler. Blame fell upon the Commander-in-chief. He was believed to be too cautious, and the Fabian policy, by which he seemed to be governed, was stigmatized as leading to utter ruin. In this view a considerable party in Congress and many officers in the army sympathized, Lovell, of Massachusetts, Chairman of the Committee on Foreign Relations, and Samuel Adams, being of the number. Indeed it would seem, from the fact that Congress created at this period a Board of War, in which authority was vested superior to that of the Commander-in-chief, that a majority of that body were of the same opinion. The

officers in the army most active in giving currency to these views were Generals Gates and Conway. The party of which they were the leading spirits was known as the Conway Cabal, and its object, as was charged, was to elevate General Gates to the position of Commander-in-chief, in place of Washington. Gates' fortunate success at Saratoga, where he had compelled the whole British army under Burgoyne to lay down its arms, had brought him prominently before the country, and the fact that he was elected Chairman of the new Board of War, gave some color to the charge, as indicating the direction in which popular favor was setting. General Mifflin was classed with this party, and by reason of his being associated with Gates in the Board of War, it was natural that the two should be intimate and should sympathize with each other in opinion. It is undoubtedly true that Mifflin believed Washington over-cautious, and desired to see a more daring policy inaugurated; but that he ever contemplated the elevation of Gates to the supreme command, or even desired it, there is no evidence. On the contrary, we have his positive denial of having sought such a result.

In a letter to Colonel Delany, written on the 1st of February, 1788, he says: "As a man of sense and honor, you must judge what my feelings must be, when I am told that my old acquaintance, Colonel Delany, had charged me with a design of ruining General Washington, and of setting up General Gates in opposition to him. As a friend to my country, I have spoken my sentiments on public matters with decency and firmness. I love and esteem General Washington, and know him too well even to wish for an exchange. I love my country, and for her sake deprecate the idea of such a change. But I have seen, and among my friends have said, that General Washington's judgment in military points was frequently counteracted by what I believed a dangerous influence. I have quoted Long Island and Mount Washington as instances of that influence, and have lamented that the General did not consider the great value of his own private judgment, a judgment universally admitted and admired."

That General Washington had been unfortunate in the battles of Brandywine and Germantown was apparent to all. To criticise fairly his conduct in them was the right and the duty of freemen. Whether a more daring leader would have done better is a question which will ever remain open to discussion. That there were those at that period, among the purest patriots, who did question Washington's conduct, is evident. That Mifflin did so, should be no derogation to his honor, or to his integrity to the cause. On the contrary, it would seem to prove his impatience of delay, and the intensity of his devotion to the struggle in which he had staked fortune and life itself.

In 1783, General Mifflin was elected a member of Congress, and in the fall of that year had the satisfaction of being elevated to the position of presiding officer of that grave and dignified body. In that capacity he acted during the closing events of the Revolution, and received back the commission from Washington when he formally tendered his resignation. The event was a deeply affecting one. For eight long years Washington had, through many gloomy periods, stood at the head of the army. In a spirit of the loftiest patriotism, when, by his steadfastness and valor, he had won a final triumph, and saw the armies of the enemy, crestfallen, withdrawing from the contest, instead of being swayed by that vaulting ambition which has almost without exception possessed the world's great conquerors, he counselled the quiet disbanding of the army, and taking leave of his companions-in-arms, repaired to the halls of Congress, delivered up his commission, which at the first he had received with fear and trembling, and retired to his peaceful home on the banks of the Potomac, with no more power than the humblest citizen, joyful at the prospect of finally knowing the peace and quiet of private life. The scene which was presented, when he stood in the presence of the assembled Congress, and with a voice faltering with emotion pronounced his last words as the head of the army, is one worthy the loftiest inspiration of the painter. His concluding words were most memorable. "I

consider it," he says, "an indispensable duty to close this last act of my official life by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to his holy keeping. Having now finished the work assigned me, I retire from the great theatre of action, and, bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the employments of public life."

The reply of President Mifflin was worthy of the occasion: "The United States, in Congress assembled, receive, with emotions too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success through a perilous and a doubtful war. Called upon by your country to defend its invaded rights, you accepted the sacred charge, before it had formed alliances, and while it was without funds or a Government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through all disasters and changes. You have, by the love and confidence of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered until these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety, and independence; in which happy event we sincerely join you in congratulations. Having defended the standard of liberty in this new world, having taught a lesson useful to those who inflict and to those who feel oppression, you retire from the great theatre of action with the blessings of your fellow-citizens. But the glory of your virtues will not terminate with your military command; it will continue to ani mate remotest ages. We feel, with you, our obligations to the army in general, and will particularly charge ourselves with the interests of those confidential officers who have attended your person to this affecting moment. We join you in commending the interests of our dearest country to the

protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens to improve the opportunity afforded them of becoming a happy and respectable nation. And for you we address to Him our earnest prayers that a life so beloved may be fostered with all His care; that your days may be as happy as they have been illustrious; and that He will finally give you that reward which this world cannot give."

In the Assembly of the State which met in 1785, Mifflin was a member, and was elected its speaker. He was also a member of the Convention which sat in 1787 for the formation of the Constitution of the United States, and to that instrument his name was affixed. In 1788, he was chosen a member of the Supreme Executive Council, and towards the close of the year, upon the retirement of Franklin, he was elected president. The dissatisfaction which was early manifested towards the State Constitution of 1776, and which had been a constant subject of contention and party wrangle since, was more than ever displayed after the adoption of the Constitution of the United States. A comparison of it with that instrument only served to magnify its defects, and it was accordingly determined by the Council of Censors, who were charged with considering the question every seven years, to call a convention to revise it. That convention met in 1790, and over its deliberations Mifflin, who had been elected one of its members, was called to preside. On many questions which were discussed there was division of sentiment, and, consequently, spirited debate. The election of Governor, whether by electors or by popular vote, the qualifications for suffrage, and the rights of masters who brought slaves in visiting the State from other States, were among the themes which called forth the most animated discussions. In all these questions Mifflin sided with the liberal party, and gave his votes for its measures.

The Constitution was no sooner adopted and promulgated than the question began to be agitated who should be the first Governor. As there had been divisions among the dele-

gates in the convention on the items of policy involved, so there were among the people upon the choice of a Governor. Two candidates were put forward, Thomas Mifflin and Arthur St. Clair. The latter had a bright military reputation, and was personally much esteemed, though his abilities and attainments were but moderate. Mifflin triumphed, being elected by a large majority, and was continued in office for that and the two succeeding terms. The routine of executive duty, as established by him under the new Constitution, with little variation has been preserved. There were two events during his administration which more than ordinarily moved the public mind. The first was the intemperate conduct of the French minister, Genet. In the heated discussions, which were the result, Governor Mifflin maintained a reserved and dignified position, and in the support of the State in its just relations with the national Government was most earnest. The second was the resistance, in some of the western counties of the State, to the collection of the excise tax, and was commonly known as the "Whiskey Insurrection." It proved too formidable for the civil authorities, with the aid of the few soldiers which were called from Fort Pitt, to manage. Washington, who was then President, called out the militia of four States, Pennsylvania, New Jersey, Maryland, and Virginia, to the number of twenty thousand men, for its suppression. Governor Mifflin marched promptly at the head of the Pennsylvania quota, and at Cumberland, Maryland, met the troops from the other States, where an organization of the forces was effected, Governor Lee, of Virginia, "Light-Horse Harry," being placed in chief command. In two divisions, amounting to some fifteen thousand men, Lee pushed forward towards the disaffected districts. At the approach of so large a force, the insurgents became alarmed, and were glad to lay down their arms and sue for pardon. General Morgan, with a small force, was left in the district to insure security, and the main body returned rapidly and was disbanded. A few of the leaders were apprehended and tried, but never convicted.

The Constitution limited the eligibility of holding the office of Governor to three terms of three years each. At the end of this maximum period, Governor Mifflin meditated a return to private life; but before it had fully expired, the people, unwilling to dispense altogether with his services, elected him a member of the Legislature. His last official communication as Governor was made on the 7th of December, 1799. It contained his farewell sentiments on taking leave of the office, and was replete with sage advice and counsel. It was received with every manifestation of respect by the Assembly, and an answer returned conceived in a kindly and affectionate spirit. He then took his seat in the Assembly, but did not long survive. He died during a session of the House, then sitting at Lancaster, on the 21st of January, 1800. His decease was noticed with becoming ceremonies, resolutions being passed expressive of the high sense entertained for him as a soldier and a statesman, authorizing his interment at the public expense, and providing for the erection of a monument to his memory.

"Thus ended," says Dr. Rawle, "the checkered life of Thomas Mifflin — brilliant in its outset — troubled and perplexed at a period more advanced — again distinguished, prosperous, and happy — finally clouded by poverty and oppressed by creditors. In patriotic principle never changing — in public action never faltering — in personal friendship sincerely warm — in relieving the distressed always active and humane — in his own affairs improvident — in the business of others scrupulously just."



Tho M: Kean

## THOMAS McKEAN,

### GOVERNOR UNDER THE CONSTITUTION OF 1790,

*December* 17, 1799, *to December* 20, 1808.

THE State of Delaware was originally a part of Pennsylvania, and even after their legal severance the political relations which subsisted between them were intimate. Hence it was that Governor Dickinson represented both Colonies at successive periods in the Continental Congress, and was during the last years of his life a citizen of Wilmington, Delaware, though he was a portion of his time acting as Governor of both States. Governor McKean, likewise, had accorded him a common citizenship—holding the highest offices in both States at one and the same time.

Thomas McKean was born on the 19th of March, 1734, in Londonderry, Chester County, Pennsylvania. He was the son of William and Lætitia (Finney) McKean, both natives of Ireland. After receiving rudimentary instruction in the common branches, he was placed under the tuition of the Rev. Francis Allison, D. D., who acquired a great reputation as an educator and divine. Here young McKean gained a good knowledge of the ancient languages, and of the several sciences which were deemed requisite for a liberal education, and at the conclusion of his course entered the office of his kinsman, David Finney, of Newcastle, Delaware, as a student at law. Not long after commencing his legal studies, he was engaged as clerk to the Prothonotary of the Court of Common Pleas, where he had the opportunity of seeing the practice of the profession, the theory of which he was now intently studying. Two years later he was made Deputy Prothonotary, and Register for the Probate of Wills, for the County

of Newcastle, in which position he carried the chief responsibility, the Prothonotary living for the most part on his estate eighty miles from the County-seat.

Before he had attained the age of twenty-one, such had been his industry, he was admitted to practice in the several County courts, and in the contiguous counties of Pennsylvania. In 1756, he received, unsolicited, the appointment of Deputy Attorney-General, to prosecute the pleas of the Crown in the County of Sussex, which duties he performed with great acceptability for a period of two years, when he resigned.

In 1757, he was admitted to practice in the Supreme Court of Pennsylvania, and in the same year was elected Clerk of the Assembly. He was re-elected for the succeeding session, after which he declined a further service. In 1762, he was appointed by the Assembly, in connection with Cæsar Rodney, to codify and print the laws of the State passed previous to the year 1752.

Having thus served a good apprenticeship to political life, by the discharge of some of its minor duties, and by laborious service in his profession, he in this year launched upon that stormy sea where, for half a century, with a stout heart and a steady hand, he braved its billows. In the October election he was chosen a representative to the General Assembly from the County of New Castle, and was re-elected for seventeen successive years. For the last six years of this period he resided in Philadelphia, and though his constituents in Delaware were aware of his oft-expressed desire to be relieved, they continued to return him. Finally, on the day of the general election in 1779, he attended at New Castle, where he addressed them upon the questions of the day, both State and National, and concluded by declining to be considered a candidate for re-election. Placing great confidence in his judgment and penetration, a committee of citizens immediately waited on him and requested that he would name seven persons whom he thought most suitable to represent the County in the Assembly. Realizing the delicacy of such

a service, he at first refused to act; but upon the further solicitation of the committee, after consultation with their associates, and upon their urgent appeal, he wrote the names of seven persons, every one of whom was almost unanimously elected.

Recognizing the importance to the prosperity of a young and rising State of extending credit to men of deserving character and promise, the States of Pennsylvania and Delaware had early established public loan-offices. They were the means of effecting vast good, and were at times of incalculable advantage to the State Governments; enabling them to realize money in events of pressing need. In 1764, Mr. McKean was appointed, by an Act of the Legislature, one of the trustees of the loan-office for the County of New Castle, for the term of four years. The appointment was renewed in 1768, and 1772, extending thus through a period of twelve years.

In the Colonial Congress of 1765, commonly known as the Stamp Act Congress, which met in New York, Mr. McKean was a member from Delaware. It was the least in territory of all the States; and had the votes been taken according to number of population represented, its influence would have been insignificant. Mr. McKean saw this, and at the outset insisted that each State should have one vote, giving all the States an equal voice. His influence prevailed. This was the beginning of that jealousy and struggle for power between the small and large States, which has extended to this day, and which is likely to produce convulsions in the future. It was the most difficult question that was met in the Convention which framed the Constitution of the Union. A compromise was finally agreed upon, giving the small States an equal voice in the Senate, but in the House only proportionate to its population. In this convention Mr. McKean was a member of the Committee which drew the memorial to the Lords and Commons, and with Mr. Livingston and Mr. Rutledge, was charged by Congress to revise the minutes of the proceedings.

One circumstance which occurred near the close of the session, so well illustrates the open, manly boldness with which he met every question, that it merits recital. It is given by the author of the sketch of Mr. McKean published in the *Signers of the Declaration*. "When the business was concluded," he says, "and on the last day of the session, the President, and some timid members, refused to sign the proceedings. Mr. McKean then rose, and addressing himself personally to the President, remarked, that as he had not made a solitary objection to any of the measures which had been finally adopted, nor a single observation indicative of disapprobation, he requested that he would now assign his reasons for refusing to sign the petition. To this demand, the President replied that he did not conceive himself bound to state the cause of his objections. Mr. McKean rejoined that the gentlemen present had met together to endeavor to obtain the repeal of an unconstitutional and oppressive act of the British Parliament, and a redress of other grievances; that as unanimity and harmony had hitherto prevailed among them, it appeared very extraordinary that any member should refuse to affix his name to what he had at least apparently approved, without any excuse, or observation, on the occasion; and that, if there was anything treasonable, offensive, or indecent, in their proceedings, he thought it would be an act of comity, nay of duty, to advise his brethren of it. Other delegates spoke briefly to the same purport. Thus pressed to an explanation, the President, after a long pause, observed that 'it was against his conscience.' Mr. McKean now rung the changes upon the word conscience so long and loud that a plain challenge was given and accepted, in the presence of the whole Congress; but the President departed from New York the next morning before the dawn of day." Robert Ogden, a delegate from New Jersey, also refused to sign. His conduct gave great offence to his constituents, and he was burned in effigy in several towns throughout the State.

The nerve and ability displayed by Mr. McKean as delegate

to this Congress procured for him the warm approval of his constituents, and a unanimous vote of thanks from the Assembly. It insured also his rapid rise in public preferment. In July, 1765, he was appointed by the Governor sole Notary and Tabellion Public for the lower Counties on the Delaware, and in the same year was commissioned a Justice of the Peace, and of the Court of Quarter Sessions, for the County of New Castle. It was at the period when the people of the Colonies were greatly excited over the paralyzing blow about to fall in the taking effect of the Stamp Act. By its terms all legal papers, to be of validity, must be executed upon stamped paper. McKean was upon the bench which boldly issued an order for all the officers of the court to proceed in their usual duties, using unstamped paper. This is declared to have been the first court in any of the Colonies which issued such an order.

The early settlements upon the Delaware having been made under the dominion of a government and courts sitting in New York, it became eventually very inconvenient to consult the original records. Accordingly the Assembly, in 1769, appointed him as its agent to proceed thither and make copies of all documents relating to the titles of real estate in the Province. These copies were by law made of equal validity with the original records, thus superseding all further necessity for appeal to them.

In 1771, he was appointed His Majesty's Commissioner of Customs and Collector of the Port of New Castle. But this office was of but limited duration; for the Crown, intent upon asserting the right to tax, imposed an insignificant one to establish the principle. At this the heart of America was aroused and beat in indignation. Tyranny was scented in the breeze, and the patriots in every Colony were in frequent correspondence upon the measures necessary to defeat the fell design. Among the foremost of these was Mr. McKean, and when delegates came to be appointed to the First Continental Congress, which sat at New York in 1774, he was selected to represent Delaware. A little previous

to this he had taken up his permanent residence in Philadelphia; but his old constituents in Delaware still claimed him as their own, and he accepted their choice, and throughout the whole period of the Revolution, and until after the signing of the treaty of peace, a space of eight and a half years, he continued to represent that State in the national council, though residing in another. It is found upon examination that no other member of that august assemblage was a member continuously, from the opening till the closing act. During all this period he devoted himself to the sacred cause of his country, giving the strength of his mature manhood to the discharge of the many duties thrown upon him, and proving himself a power in that body of unequalled men. He was particularly useful in conducting the negotiations of the secret committee charged with procuring arms and ammunition from abroad, and in managing the monetary affairs of the new nation, — two of the most important and difficult of the subjects with which Congress had to deal. He was of the committee which drew the Articles of Confederation that bound the Colonies together, and gave to Congress the little power which it was allowed to exercise.

The Declaration of Independence found no more active advocate, or firm supporter, than Mr. McKean. He believed that the time had fully come for adopting it, and he plead in private, as well as in public, with all the power of persuasion of which he was possessed, to draw those who thought the act premature to accord with him. Singularly enough, though he was one of the most active in securing its passage, and was present when the final votes were taken, affixing his signature to the instrument with the rest, yet in the printed journals of Congress, embracing this document, and in the acts of the several States, his name does not appear as one of the signers. In a letter addressed to Mr. Alexander J. Dallas, in answer to an inquiry made relative to this omission, Mr. McKean says: "My name is not in the printed journals of Congress as a party to the Declaration of Independence, and this, like an error in the first concoction, has vitiated most of the

subsequent publications; and yet the fact is, that I was then a member of Congress for the State of Delaware, was personally present in Congress, voted in favor of independence on the 4th of July, 1776, and signed the Declaration after it had been engrossed on parchment, where my name in my own handwriting still appears." It is interesting to trace the manner in which this error has crept into the public records. It appears that on the 19th of July, two weeks after its passage, Congress directed that a copy of the Declaration should be engrossed on parchment and signed by every member. This engrossed copy was finished, and on the 2d of August was produced and signed. But previous to this day, McKean had obtained leave of absence, being then an officer of militia, and for several weeks succeeding he was not in his place, he being absent on the 2d of August, the day on which the engrossed copy was signed. He returned to his place in October, and then affixed his name to that copy, as he had also to the original one on the 4th of July. It is probable, that in the mean time copies had been taken for publication as signed on the 2d of August, and before his signature was affixed. But his presence was too notorious to occasion any question as to the fact, even without his own testimony. When the preliminary vote was taken on the 2d of July, all the States declared in favor of it, except Pennsylvania and Delaware. The latter State had three members. Of these McKean voted for it, Read against it, and Rodney, the third, was absent. Seeing that the vote of his State was likely to be lost, McKean sent a messenger at his own expense, post-haste, to summon the absent member. He arrived in time to vote for the measure, thus carrying the State in its favor; and some of the opposing members of the Pennsylvania delegation absenting themselves, the vote was finally made unanimous.

Where his influence could be exercised for the furtherance of the cause of Independence, there was his voice heard and his hand felt. In a convention of deputies from the several counties of Pennsylvania, assembled in Carpenter's Hall, in

Philadelphia, in June, 1776, he was chairman, and was a prime mover in securing the passage of resolutions favorable to, and urging the adoption of a Declaration. The regiment of associators, of which he was colonel, passed a similar resolution. He was also chairman of the Committee of Safety of Pennsylvania, and of the Committee of Inspection for the City of Philadelphia.

Having uttered the word Independence, and pledged their lives, their fortunes, and their sacred honors to its support, Congress was impressed with the necessity of preparing to strike in defence of their resolves. Accordingly on the 5th of July, the day following that on which the Declaration was adopted, it was agreed between a Committee of Congress and a Committee of Safety of Pennsylvania, that the associated militia, who could be furnished with arms, should proceed without delay to New Jersey, there to remain until a flying camp of ten thousand men could be formed to relieve them. McKean was colonel of one of these regiments, and promptly marched at its head to Perth Amboy, to the support of Washington. The lines of the enemy were about six hundred yards distant. On one occasion several of their shallops were discovered sailing along the opposite shore in the direction of their ships. McKean received orders to have his men in readiness to march at a moment's warning, and they were called to arms. In a letter, written a few days later from camp, he thus describes the event which followed: "I left them," he says, "under Lieutenant-Colonel Dean, to be marched to town, whilst I mounted my horse, and waited on the General for orders. On the road, which is a straight and wide lane, (something like Market Street,) all the way from the camp to the sound, and in a line with the enemy's batteries, about twenty cannon-balls flew close to me, sometimes on the one side, sometimes on the other, and some just over my head. I confess I was not a little alarmed, being the first time that I had ever heard a cannon-ball, but clapped spurs to my horse, and rode on amidst the balls for the General's, where orders had just been issued to halt the

battalion. I was going to execute them, when, on turning round, I saw a horse shot through the neck with a four-pounder within much less distance than the width of Market Street from me. The fire was so incessant, and so direct on the street that I had to return, that some gentlemen entreated me to wait a short time; but, as the troops under my care were in full march, and Colonel Miles' battalion close behind them, I thought it my duty to stop them, as some of them otherwise would probably be killed without a chance of effecting any beneficial service. On my return I found the fire hotter than before, the enemy then playing from three batteries of three or four guns each; but, through God's favor, I escaped unhurt, and marched the troops to the camp."

As had been previously arranged, as soon as the flying camp was recruited, it took the place of the Associators, and they returned home, McKean resuming his seat in Congress, and affixing his name to the parchment-copy of the Declaration which had been generally signed on the 2d of August during his absence in camp. But new cares awaited him. "He found upon his return," says the biographer above quoted, "that he had been elected a member of the Convention for forming a constitution for the State of Delaware. He accordingly departed for Dover on the second day after arriving home. Immediately on his arrival, after a fatiguing ride, a committee of gentlemen waited on him, and requested that he would prepare a constitution for the future Govern ment of the State. To this he consented. He retired to his room in the tavern, sat up all night, and having prepared it without a book or any assistance whatever, presented it at ten o'clock next morning to the House, when it was unanimously adopted." Had a feat like this been performed in the ages of antiquity, it would have been heralded as having been done with the aid of some god, or the favored one would himself have been deified.

The manifestation of ability to perform herculean labors, brought him an endless variety of public employments, and

these not confined to one State. Early in August, 1777, he was tendered the office of Chief-Justice of Pennsylvania. His friends urged his acceptance. "Upon the whole," he says, in a letter to John Dickinson, "to prevent the least suspicion that I was against any government but such as I framed myself, and that I wanted to embroil the State, and occasion disaffection to the common cause, which had been liberally propagated, and to evidence that I had nothing in view but to promote the happiness of my country, I thought it my duty (though manifestly against my interest) to imitate the great Lord Hale, when pressed to the like by Cromwell, and was for the same, and better reasons, prevailed with to accept it." The duties of the office which he thus entered upon, he continued to fulfil for the long period of twenty-two years. He was during the same year chosen President of the State of Delaware, so that, in addition to being a member of Congress and Chief Justice of Pennsylvania, he was at the same time the chief magistrate of another commonwealth. The British army was now occupying Philadelphia; and to discharge the several duties thus imposed, and elude the vigilance of the enemy, required the most untiring circumspection. In a letter to John Adams, written some time afterwards, he says: "I have had my full share of the anxieties, cares, and troubles of the present war. For some time I was obliged to act as President of the Delaware State, and as Chief Justice of this. General Howe had just landed (August, 1777,) at the head of Elk River, when I undertook to discharge these two important trusts. The consequence was to be hunted like a fox by the enemy, and envied by those who ought to have been my friends. I was compelled to move my family five times in a few months, and at last fixed them in a little log-house on the banks of the Susquehanna, more than a hundred miles from this place; but safety was not to be found there, for they were soon obliged to remove again on account of the incursions of the Indians."

On the 25th of December, 1780, he addressed a letter to

the Legislature of Delaware, expressing his "ardent wish" that they would excuse him from further attendance as their delegate in Congress, and that they would elect some person to succeed him. Or, if they desired that he should continue to represent them, that they would appoint some one to occupy his place while he was absent upon the Supreme Court Circuit of Pennsylvania, and to allow him some relaxation from excessive toil at other times, when needed. He pleaded his inability to perform so many duties to his satisfaction, and that the rank he was obliged to maintain was such that his income from all his offices was insufficient. This request was not acceded to, and he continued to represent the State, though the complaint of lack of salary failed to have its effect; for during two years, 1779 and 1780, he received nothing whatever for his services.

The effort to be relieved of his Congressional labors, instead of resulting in his discharge, was followed by an increase of its burdens; for on the 10th of July, 1781, he was elected President of Congress. The duties of this position he continued to discharge until near the close of October, when, the time having arrived for the opening of the Supreme Court of Pennsylvania, he communicated to Congress his resignation as President. He was, however, prevailed upon to continue to preside until the 1st of November, when he was released, and John Hanson was elected to succeed him.

The period during which McKean exercised the functions of Chief Justice, was one of the most important and trying in the whole course of jurisprudence in the Commonwealth. It was at the time when the laws were unsettled, even the constitutions of States undefined, and national existence itself was in question. The country was in the midst of a revolution when he came to the Bench, and for several years the civil was necessarily subordinate to military rule. Hence the interpretation of organic and statute law had to be made *de novo*, precedents had to be established, and the whole practice of the Courts adapted to the changed relations which existed. The causes which were brought in his Court were

many of them peculiar to a period of war and conquest, causes involving the most delicate questions, vital alike to the rights of the subject, and the vindication of justice. Trials for high treason, for attainder, for the confiscation of property, were frequent. A case, rarely transcended in importance and amount involved in any nation or in any age, was the forfeiture of the Proprietary possessions. The rulings of the Chief Justice throughout all this trying period, and in these difficult causes, were marked by great prudence and wisdom. "Chief-Justice McKean," says a late judge of the Supreme Court of Pennsylvania, "was a great man; his merit in the profession of the law, and as a judge, has never been sufficiently appreciated. It is only since I have been upon the Bench that I have been able to conceive a just idea of the greatness of his merit. His legal learning was profound and accurate, but, in the words of the poet,—

Materiam superabat opus.

The lucidity of his explication, and the perspicuity of his language, which is the first excellence in the communication of ideas, was perfect; but I never saw equalled his dignity of manner, in delivering a charge to a jury, or on a law argument to the Bar. But, what is still more, his comprehension of mind in taking notes, so as to embrace the *substance*, yet omit nothing *material*, has appeared to me inimitable."

In 1787, the Constitution of the United States was submitted to the several States for ratification or rejection. It had met violent opposition in the Convention where it was framed, and many of its provisions were discussed with much heat in the public journals. It was only by the exercise of a sublime moderation and prudence by the leaders in the Convention that it was finally adopted. Opposition was anticipated in the ratifying Conventions. The friends of the instrument were active in magnifying its excellencies and in defending what were deemed its defects. Especial care was exercised in electing the ablest and most prudent men as

delegates. Chief-Justice McKean was a member of the Pennsylvania Convention, and took a leading part in favor of its adoption. In the course of the debates which occurred, he delivered an elaborate and exhaustive argument upon the results which were likely to follow if it should prevail. In concluding his appeal, he said: "The law, sir, has been my study from my infancy, and my only profession. I have gone through the circle of office, in the legislative, executive, and judicial departments of government; and from all my study, observation, and experience, I must declare that, from a full examination and due consideration of this system, it appears to me the best that the world has yet seen. I congratulate you on the fair prospect of its being adopted, and am happy in the expectation of seeing accomplished what has been long my ardent wish,—that you will hereafter have a salutary permanency in magistracy and stability in the laws."

The Constitution of the State, adopted in 1776, proving defective, in 1789 a convention met for remodelling it, or framing a new one. A single Assembly and an Executive Council without a head capable of interposing a negative upon legislation, was in many respects inefficient. Two Houses of Assembly, with a single Executive clothed with the veto power, were advocated and finally substituted. The principal discussion was carried on in committee, and over this Judge McKean presided. Cut off thus from mingling freely in the debates, he contented himself with voting in favor of the features indicated above, only claiming the floor upon points of special importance. He opposed all unnecessary alterations. "In general," he said, "I dislike innovations, especially in the administration of justice; and I would avoid tampering with constitutions of governments as with edge-tools." One of the most important features embodied in the new Constitution, and the one for which its framers will deserve the thanks of successive generations, so long as its beneficent provisions are permitted to hold sway, was that "for the establishment of schools throughout the State, in such a manner

that the poor may be taught gratis." This proposition was introduced and advocated by Judge McKean.

In 1799, the election for Governor resulted in the choice of Judge McKean; whereupon he laid aside the judicial robes, which, for nearly a quarter of a century, he had worn with becoming dignity, and assumed those of the gubernatorial office. In politics he belonged to that school of which Mr. Jefferson was a leading exponent, and the election of the latter was a result of the movement begun in the choice of McKean in Pennsylvania. In reply to an address made to him by an assembly of citizens soon after the result of the election was known, he said: "The Constitution of the United States, and of Pennsylvania, shall be the rule of my government; the security of persons, property, liberty, and reputation, my chiefest care; and my best endeavors shall be exerted to fulfil all your reasonable and just expectations." In a letter to Mr. Dickinson, written not long after being settled in office, he says: "Though my situation in life is changed, my cares remain: I have never had greater employment for body and mind, than for the last six months, unless when I was President of Congress. I have waded through a sea of troubles, and surmounted my principal difficulties. I have been obliged (though no Hercules) to cleanse the Augean stable, with little or no aid; for I am my own minister and amanuensis. A Governor of Pennsylvania has more duty to perform than the President of the United States, or any other Governor in the Union." The particular labor which he refers to in this passage was one which occasioned sharp criticism. The doctrine that in politics "to the victor belong the spoils," was not at that time well established. The early virtues of the republic, which recognized merit in political friend and opponent alike, were not yet entirely discarded. But it was beginning at this period to be warmly espoused, and McKean did not hesitate to act largely upon it, and to openly defend his course. In a letter to Mr. Jefferson, in July, 1801, then President of the United States, he says: "It appears that the anti-Republicans, even those in office, are as

hostile as ever, though not so insolent. To overcome them they must be shaven, for in their offices (like Samson's hair-locks) their great strength lieth; their disposition for mischief may remain, but their power of doing it will be gone. It is out of the common order of nature, to prefer enemies to friends; the despisers of the people should not be their rulers, nor men be vested with authority, in a government which they wish to destroy. A dagger ought not to be put into the hands of an assassin.—Sayings of this import are in the mouths of everybody; and self-preservation seems to demand some attention to them."

His purpose in removing opponents was not to make places merely for political friends, but to secure efficiency and harmony to his rule. For when the affairs of his administration once became settled, he did not adhere exclusively to his own party in making his appointments, but selected from among his political opponents when he could thereby secure a man of greater usefulness. He twice elevated to the position of Chief Justice of the State, gentlemen whose political views were adverse to his own.

During his third and last term of office the Governor was subjected to very severe criticism for some of his official acts, and some alleged to have been committed. Party feeling was never more bitter than at that time. It is doubtful if more acrimony has ever been evinced. Finally, the Assembly preferred articles of impeachment against him. They were chiefly allegations of political offences. They were referred to a committee, and the reports made were debated from time to time, but he was never brought to trial, and finally, as an answer to the charges made and the report of the committee, he submitted to the Assembly an elaborate paper defining in a most lucid manner the powers and duties of the several branches of the government, legislative, judicial, and executive, and defining clearly impeachable offences. This replication was read and ordered by a considerable majority to be entered upon its minutes, and thus the subject rested. The paper which was drawn forth from the Governor is re-

garded with great favor by professional men, and is quoted as authority upon the questions of which it treats.

The Governor was always an earnest advocate of common-school education. As already noticed he introduced the clause into the Constitution authorizing the establishment of a system, and he lost no opportunity of urging the Legislature to action, as his predecessor Governor Mifflin had done before him. In his message of November, 1800, he said: "Considering the diffusion of useful knowledge among the people to be the best auxiliary to the administration of a free government, allow me, gentlemen, to remind you of a constitutional injunction, 'That the Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools through the State, in such manner, that the poor may be taught gratis.'" This recommendation he continued to iterate; but the contentions of party, and the making of provision for the State and national debts consequent upon the war, prevented action from being directly taken thereon.

At the expiration of his third term, after having been elevated to offices the most honorable and dignified known to government, and enjoyed the confidence of his fellow-men in a manner unprecedented in the history of politics, he retired altogether from public employments. In his final message to the Legislature, he said: "In my last personal communication to the Legislature, probably in the last important public act of my life, I shall be indulged, I hope, in claiming some credit for feelings corresponding with the solemnity of the occasion. It has been my lot to witness the progress of our country, from a Colonial to a national character, through the ordeal of many trials in peace and in war. It has been my happiness to enjoy the favor and the confidence of our country, in the most arduous, as well as in the most auspicious stages of her political career. Thus attached by every tie of honor and of gratitude, by all the motives of social interest and affection, I contemplate the future destinies of our country with a proud but an anxious expectation. My day of exertion (of feeble exertion at the best) is past; but for our fel-

low-citizens, and for their representatives in every department of the government, I can only cease to implore the blessing of Providence when I cease to exist."

Governor McKean had always preserved an abiding friendship for John Adams. In the trying days of the Revolution they had been in close political accord. In a letter from Mr. Adams, written in 1812, the following testimony to this is borne. "Nearly thirty-eight years ago our friendship commenced. It has never been interrupted, to my knowledge, but by one event. Among all the gentlemen with whom I have acted and lived in the world, I know not any two, who have more uniformly agreed in sentiment upon political principles, forms of government, and national policy, than you and I have done, except upon one great subject; a most important and momentous one, to be sure: that subject was the French Revolution. This at the first appearance of it you thought a 'minister of grace;' I fully believed it to be a 'goblin damned!'" In his reply to this, Governor McKean said: "I declare, with pleasure, and also with pride, that I embraced the political sentiments of none, with more satisfaction (being congenial with my own) than yours; nor do I recollect a single question on which we differed. It is true I was a friend to the Revolution in France, from the Assembly of the Notables (1787) until the king was decapitated (1794), which I deemed not only a very atrocious, but an absurd act. After that, I remained in a kind of apathy, with regard to the leaders of the different parties, until I clearly perceived that that nation was then incapable of being ruled by a popular government; and when a few, and afterwards an individual, assumed despotic sway over them, I thought them in a situation better than under the government of a mob; for I would prefer any kind of government to such a state; — even a tyranny to anarchy. On this subject, then, I do not conceive we differed widely. I do assure you that I venerate our early friendship, and am happy in the continuance of it."

In a letter to Mr. Adams, written in June of the same year, he said: "Three years ago I shook hands with the world,

and we said farewell to each other: the toys and rattles of childhood would, in a few years more, be probably as suitable to me, as office, honor, or wealth; but (thank God) the faculties of my mind are, as yet, little, if anything impaired, and my affections and friendships remain unshaken. Since my exemption from official and professional duties, I have enjoyed a tranquillity never (during a long, protracted life) heretofore experienced; and my wealth and comforts are sufficient for a moderate man."

For a man of so varied and such great labors his length of life was remarkable, and illustrates the maxim that sloth, like rust, consumes faster than labor wears. He died on the 24th of June, 1817, aged eighty-three years, two months, and sixteen days, and was buried in the grounds of the Presbyterian church in Market Street, Philadelphia. "In person," says his biographer, "Mr. McKean was tall, erect, and well proportioned. His countenance displayed, in a remarkable manner, the firmness and intelligence for which he was distinguished. His manners were impressive and dignified. In the month of July, 1762, he married Mary, the eldest daughter of Joseph Borden, Esq., of Bordentown, New Jersey, who died in February, 1773, leaving two sons and four daughters, the youngest of whom was only two weeks old. On Thursday the 3d of September, 1774, he was again united in marriage to Miss Sarah Armitage, of New Castle, in Delaware; five children were the offspring of this union."

Of Mr. McKean's character, none knew better than the great compatriots with whom he acted, and who have left ample testimony. Mr. Jefferson, in a letter written in April, 1824, but two years before his own death, says of him, "The general remembrance can never be obliterated, that he was among the soundest and most zealous of the republicans, with whom it has been my fortune to act through life." And President John Adams, in a letter written in the same year to Mr. McKean's son, says: "Your father and Cæsar Rodney were among the Patrick Henrys, the Christopher Gadsdens, the Thomas Jeffersons, the Samuel Adamses, the Roger

Shermans,— the best tried and firmest pillars of the Revolution." In the course of his life Mr. McKean was made a member of many learned societies, and associations devoted to the amelioration and advancement of mankind. In 1781, the degree of Doctor of Laws was conferred upon him by the College of New Jersey, and in the following year the same degree was conferred by Dartmouth College, New Hampshire. The Trustees of the latter institution, in communicating the bestowal of the honor, said: "Impressed with an exalted opinion of those singular talents which nature has allotted you; of those acquirements which you have gained by application; and of that patriotic virtue, which has remained inflexible through the storms of adversity, the honorable Board of Trustees of this University request your acceptance of a feeble testimonial of your merit."

It is rare, and perhaps unexampled, that a man has public offices heaped upon him as they were upon Thomas McKean. He was President of Delaware, and Governor of Pennsylvania; member of Congress from Delaware for a period of over eight years, and Chief Justice of Pennsylvania for twenty-two,— offices each in itself of sufficient dignity to satisfy the ambition of the most gifted; and yet to him they seemed appropriately awarded; for in an age of giants he appeared among the most conspicuous. The services of such a man are the proud heritage of Pennsylvania, a heritage that illumines some of the brightest pages of her history.

## SIMON SNYDER,

### GOVERNOR UNDER THE CONSTITUTION OF 1790,

*December* 20, 1808, *to December* 16, 1817.

AT an early day German emigrants to America very generally settled in Pennsylvania. Of all the Colonies this had the greatest proportion of German population. Simon Snyder was the first Governor selected from the descendants of that nationality. He was, too, the first who was taken from the ranks of the laboring class, having risen by toil from the most humble beginning, and known by experience the hard lot of the lowly.

He was born at Lancaster, on the 5th of November, 1759. His father, Anthony Snyder, was a respectable mechanic, who came to America from the Palatinate, in 1758. His mother, whose maiden name was Knippenberg, was born near Oppenheim, Germany. Of five children, the offspring of this marriage, Simon was the fourth. The father died in 1774, and two years after, the son, then at the age of seventeen, removed from Lancaster to the town of York, in the adjoining county, where he remained for eight years. Here he learned the business of a tanner and currier, serving faithfully an apprenticeship of four years, without being bound by any indenture or written agreement, evincing thus early a steadfastness of character, and a faith that was auspicious. At a night school, kept by John Jones, a worthy member of the Society of Friends, he was taught reading, writing, and arithmetic, and made some progress in higher mathematics. His industry at this period was very great, and often at the midnight hour, after a hard day's work, he was still at his books, and his Sundays were usually devoted to study.



Simon Sugden

In July, 1784, he removed to Selinsgrove, then Northumberland County, since Union, now Snyder, the two latter having been successively erected out of territory of the former, and the last having been named in honor of that then nameless young man. Here he opened a store, and became the owner of a mill. By his good sense and excellent business habits, he soon acquired influence with his fellow-men, and was often consulted in questions of difficulty. He had acquired a knowledge of the simpler legal forms, and was frequently employed as a scrivener. Quiet and unassuming in deportment, he was still ever ready to interest himself in behalf of the poor and those in distress. Recognizing his admirable fitness for the position, he was finally elected unanimously by the freeholders of a large district, a Justice of the Peace, and for twelve years continued to officiate with great acceptability. So universally were his decisions respected that no appeal was ever made from any judgment of his to the Court of Common Pleas, and but a single writ of *certiorari* was sued out in all that time, though the inhabitants were of that restless class which are always in the lead in the tide of civilization. In the numerous actions brought before him for petty criminal offences, his efforts to reconcile the contending parties so generally prevailed, that he made return to the court of but two recognizances.

In 1789, Mr. Snyder was elected a member of the convention which framed the State Constitution of the following year, and though but a novice in politics, and little skilled in the management of deliberative bodies, yet his votes and his personal influence were uniformly given in the interest of enlightened statesmanship, and he showed himself, as we might anticipate, a conscientious and painstaking representative of the popular will.

In 1797, he was elected a member of the House of Representatives, of which body, in 1802, he was chosen Speaker. The duties of this office, he was enabled, by his ready memory and strong native sense, to discharge with great acceptability. While he was in the chair, was passed the Act commonly

known as the Hundred Dollar Act, which originated with him, and of which he was a warm advocate. It embodied the arbitration principle, and provided for the trial of causes where the amount in question was less than one hundred dollars, before a justice of the peace. McKean, who was then Governor, opposed this measure, and though the party in the Legislature which passed it was the party which had elevated him to power, the controversy over it was spirited and bitter, producing an estrangement, which, being aggravated by other differences, finally resulted in the complete severance of party ties, the Governor identifying himself with the Federalists, and the Jefferson Democrats, or Republicans as they were then called, repudiating him entirely.

Snyder continued to preside over the House until 1805, when, by his energy and sturdy qualities exhibited in championing the Hundred Dollar Act, and other measures, being recognized as a fit leader on a broader theatre, he was nominated for Governor in opposition to McKean. The latter was elected by barely five thousand majority, but the excellent run made by Snyder demonstrated unmistakably that he was strong with the people. He continued to be elected to the House and to be annually selected as its Speaker until 1808, when he was again nominated for Governor, the opposite party being led by James Ross, of Pittsburg, a man of the greatest respectability and eminence. The result was the election of Snyder by a majority of over twenty-four thousand votes. He was re-elected in 1811, and again in 1814, by overwhelming majorities, serving the full constitutional period of nine years.

Early in his administration, Governor Snyder found himself in conflict with the national authority, in a controversy which grew out of a Revolutionary claim; and had a less prudent and judicious man been in the gubernatorial chair, it might have resulted in the most serious consequences. Four American seamen had been taken on board the British ship *Active*, on its way from Jamaica to New York, in the year 1778, who, when off the coast of Delaware, overpowered

the officers and the rest of the crew, and were taking their prize in, when it was seized by Captain Houston, of the American ship Convention, who took it to port, and libelled it for himself, seamen, and State of Pennsylvania. Gideon Umstead, one of the four seamen, resisted this action on the part of himself and fellows. The case went to a jury, where it was decided that Umstead and his associates should have one-fourth of the prize money, and the other party the remainder. To this Umstead would doubtless have acceded; but at this juncture Benedict Arnold, then in command in Philadelphia, bought the claim of the four seamen, and had application made to Congress for revisal of the judgment of the Pennsylvania Court of Admiralty. This was effected, and the entire prize money was awarded to the four seamen. For his connection with this case, Arnold was first suspected of a treacherous character. The three-fourths of the prize money, according to the decision of the Pennsylvania Court, was guaranteed to the original claimants; and this the Governor felt himself bound to execute. But before any collision occurred, he transmitted the record of the proceedings of the Legislature in the case to President Madison, who made the following reply, dated April 13th, 1809: "Sir, — I have received your letter of the 6th instant, accompanied by certain Acts of the Legislature of Pennsylvania, which will be laid before Congress according to the desire expressed. Considering our respective relations to the subject of these communications, it would be unnecessary, if not improper, to enter into any of the questions connected with it. It is sufficient in the actual posture of the case to remark, that the Executive of the United States is not only unauthorized to prevent the execution of a decree sanctioned by the Supreme Court of the United States, but is expressly enjoined by statute to carry into effect any such decree when opposition may be made to it. It is a propitious circumstance, therefore, that whilst no legal discretion lies with the Executive of the United States to decline steps which might lead to a very painful issue, a provision has

been made by the legislative act transmitted by you, adequate to the removal of the existing difficulty; and I feel great pleasure in assuring myself that the authority which it gives will be exercised in a spirit corresponding with the patriotic character of the State over which you preside. Be pleased, sir, to accept assurances of my respectful consideration."

The issue of the case is thus briefly and clearly stated by the Governor in his annual message to the Legislature of 1810: "On the 27th of February last, the Executive communicated to the Legislature that, in consequence of proceedings had in the Supreme Court of the United States, an attachment would be issued against the executrices of the late Mr. Rittenhouse, formerly Treasurer of this State, to compel them to pay to Gideon Umstead and others, the money which they had paid into the State Treasury, in obedience to an Act passed the 2d day of April, 1803, which Act, in the name of this Commonwealth, guaranteed an indemnification to the said executrices from any process whatever issued out of any Federal Court, in consequence of their obedience to the provisions of that Act. In that message the Executive informed the Legislature that he was making arrangements to call out a portion of the militia, that being the only means in his power to carry into effect the Act of 2d of April, 1803. Orders were accordingly transmitted to the Adjutant-General, inclosing the appointment of General Michael Bright, and his orders, which were laid before the Legislature, March 2d, 1809. On the 24th day of March, the General stationed a guard at the houses of the executrices. On the 25th day of March, the Marshal of the district was resisted by the militia, and prevented from entering the houses of the executrices. That officer afterwards issued notices calling out a *posse comitatus*, to assist him in executing this attachment. Previous to the day on which the *posse* was ordered out, to wit, on the 15th of April, the Marshal eluded the vigilance of the guard and arrested one of the executrices. A *habeas corpus* before the Chief-Justice was taken out in her name by the Attorney-General. . . . . The Chief-Justice refusing to liberate the

body of the executrix, and ordering her to remain in custody of the Marshal, the Executive directed the guard to be withdrawn and the money to be paid."

The period during which Snyder was Governor was an important and exciting one in the national life. Napoleon was on the throne of France. On the thrones of Spain, Holland, and Italy he had, by his sword, seated his three brothers. All Europe, amazed at his giant strides, took up arms against him. The United States, preserving a perfectly neutral attitude, was allowed by her commercial marine to visit freely the ports of the belligerents, and was greatly prospered. In violation of the neutral rights of the United States, Great Britain, in 1806, issued an order in council declaring the whole coast of the continent from the Elbe to Brest in a state of blockade. Napoleon retaliated by issuing his decree at Berlin declaring the entire coast of the British Islands also in blockade. As a consequence, American vessels were seized by both French and English cruisers, and her commerce, though preserving a strict neutrality, was suddenly swept from the ocean. The baneful effect of the "orders" and "decrees" was aggravated by the haughty assumption of the right, by Great Britain, to search unceremoniously American vessels for suspected deserters from the British navy, under cover of which the grossest outrages were committed, American seamen being dragged from the decks of their vessels and impressed into the royal service. In retaliation, President Jefferson, in July, 1807, issued a proclamation ordering all British armed vessels to leave the waters of the United States, and forbidding any to enter until satisfaction for the past, and security for the future, should be assured; and upon the meeting of Congress in December, an embargo was laid, detaining all vessels, American and foreign, then in the ports of the United States, and ordering all American vessels home that were abroad, that the seamen might be trained for hostilities. Negotiations were conducted with varying success, but without any pacifying results. In the meantime the causes of irritation increased, until finally the state of feeling

became so much embittered, that in 1811 President Madison, by authority of Congress, declared war against Great Britain. The war, which lasted for a period of nearly four years, is known as the WAR OF 1812, and resulted in the establishment of a really national character to the United States. Dr. Franklin once heard a person in conversation speak of the Revolution as *the War of Independence* and reproved him, saying: "Sir, you mean the Revolution; the war of *independence* is yet to come. It was a war *for* independence, but not *of* independence."

One of the first manœuvres of the British in the contest was to incite the Indians to hostilities, and succeeded but too well. On the night of the 6th of November, a bloody battle was fought near the confluence of the Tippecanoe and Wabash rivers, with a powerful body of the savages led by Tecumseh, a chief who rivalled Pontiac in bravery, in which General Harrison gained a complete victory, though at great sacrifice. The operations along the Canada frontier against the British army were less fortunate. On the 16th of August, 1812, General Hull, Governor of Michigan, after having crossed into Canada and attempted to reduce the opposing force, and been obliged to return, was himself compelled to surrender the post at Detroit, where he had taken shelter, whereby fort, stores, garrison, and territory passed into the enemy's hands. Two months later, General Van Rensselaer was defeated with considerable loss at Queenstown Heights, though the British commander-in-chief, Brock, was killed in the action. At Frenchtown, on the River Raisin, twenty-five miles south of Detroit, at dawn on the morning of the 22d of January, 1813, General Winchester, after a brave resistance, was forced to surrender to the British and Indians, and though the sick and wounded were by the terms of the surrender solemnly guaranteed safety, they were inhumanly murdered. The brave and successful defence of Fort Stephenson by the youthful Major Croghan, with only one hundred and fifty soldiers, when attacked by five hundred regulars and eight hundred Indians, formed some relief to the

otherwise dark picture. The enemy was repulsed with a loss of one hundred and fifty killed and wounded, while the defenders lost but one killed and seven wounded. Croghan was but twenty-two years old. The tide of victory now began to turn in favor of the Americans. On the 5th of October, General Harrison came up with the British and Indians at the Moravian village on the Thames, and defeated them with great slaughter, the famous Tecumseh being among the killed. By this victory all that Hull had lost was regained, the power of the Indians was broken, and the English were driven from Michigan.

Meanwhile, upon the ocean and upon the lakes engagements occurred which rank with the best exhibitions of naval valor that the world has seen — Commodores Decatur, Hull, Jones, Perry, Lawrence, Porter, and McDonough combating the enemy with a valor which has made that flag under which they fought respected on every water, even to the remotest seas.

The campaign of 1814 was conducted by the enemy with vigor. Early in that year the power of Napoleon was broken, and fourteen thousand of Wellington's veterans were sent to Canada. The battles of Oswego, Chippewa, Lundy's Lane, Fort Erie, and Plattsburg, which followed, were nevertheless favorable to the American arms — Generals Scott, Ripley, and Brown winning substantial victories, and successfully turning back the enemy from his march of invasion. In August, Ross, one of the most trusted of Wellington's generals, with six thousand men, in a flotilla of sixty vessels, arrived in the Chesapeake, for the conquest of the capital. He found little to oppose him. A feeble fleet under Commodore Barney was abandoned and burned. A small force of militia under General Winder met Ross at Bladensburg and made a sharp resistance; but the affair was soon decided in favor of the latter. On the same day, August 24th, Ross captured Washington, burned the Capitol, President's house, and other public and private buildings, and hastily withdrew to the fleet. A few days later he appeared before Baltimore,

and, debarking, advanced to the attack. He was met by a division of the force brought together for the defence, commanded by General Smith, a revolutionary veteran, and in a brief skirmish which ensued, Ross was killed. A fierce engagement followed, in which the enemy lost severely. In the meantime the fleet approached, and opened fire upon Fort McHenry, which was continued almost incessantly for a day and a night, throwing not less than fifteen hundred bomb-shells. The inhabitants were in great consternation; but before light on the morning of the 14th of September, despairing of success, the enemy secretly embarked and moved away.

The song of the *Star-Spangled Banner* was inspired by the terrors of this bombardment. A gentleman had left Baltimore in a flag-of-truce boat to secure the release of a friend, who had been captured, and was a prisoner on board the fleet. He was not permitted to return, lest he should disclose the intention to bombard the city. The flag-boat was kept under the guns of a frigate, and he was compelled to witness this terrific fire, which the British admiral boasted would soon reduce the city. Through the whole day he watched the flag at the fort with indescribable anxiety. At night he followed with eager eye the bursting shells, and in the early dawn of the morning, to his great joy, he distinguished that banner still floating. Under these circumstances the national song was written.

Finally, General Jackson, who had been engaged in punishing the Indians in the south, finding that the enemy in great numbers were making their appearance in the Gulf of Mexico, promptly responded to a call from New Orleans for help, and marching thither made preparations for defence. In hastily constructed breastworks upon the river, four miles below the city, on the morning of the 8th of January, 1815, Jackson, with six thousand militia, met General Packenham, with twelve thousand men, many of them Wellington's veterans, and after a brief but sharp engagement, gained a complete victory. General Packenham fell, and his army

withdrew, leaving seven hundred dead, and more than a thousand wounded upon the field. The Americans lost but seven killed and six wounded. Two weeks before this, a treaty of peace had been concluded between the two nations at Ghent, Belgium; but the news of it had not reached America when the battle of New Orleans was fought.

In all this contest the Government of Pennsylvania was administered faithfully in the interest of the national authority. Governor Snyder believed the war to be justly undertaken, and his supporters were emphatically of the war party. All his energies were devoted to bringing out the forces of the State required for prosecuting the war with vigor. Volunteers received but eight dollars a month from the General Government. Every inducement in addition to this, which he could consistently use, to facilitate volunteering and to aid in equipment and support of the troops, he was vigilant and studious in extending. It is related that Mrs. Snyder even cut up her crimson cloak to make trimmings for the soldiers' uniforms. The closing paragraph of his first inaugural address to the Legislature proves the warmth of feeling with which he regarded the support of the nation in the hour of its tribulation. "In a national crisis like the present," he says, "where all that is dear and precious to the United States is threatened by the violence and aggressions of foreign powers, it is peculiarly and eminently the duty of all the constituted authorities to act in support of the just and honorable measures adopted by the Federal Government, as if animated by one heart, one spirit, and one determination. The happy influence of such an accordance of opinion and action is not bounded by our country, but beneficially extends itself wherever American politics can interest, or American interests be affected."

To the time of the accession of Governor Snyder, the Executives had been in the habit of delivering their annual messages to the Legislature in person. He abolished that custom and inaugurated that of communicating them in writing, which has since continued to prevail. The reason

for this change he thus states in the opening of his first message: "I have been induced to depart from this custom from a conviction that communications by message are more in accordance with our republican principles and institutions, simplicity of manners, sound economy, and equally respectful to the members composing the Legislature."

The interests of the nation were equally dear to the heart of Governor Snyder with those of the Commonwealth over which he presided, and in his annual messages he alluded to them with as much devotion as though they were the objects of his immediate care. In his message of the 5th of December, 1811, he thus utters his convictions upon the subject of slavery, the first of the governors to enter his protest against it: "Elevated as is her character for humanity, there is yet permitted to remain one other stain on the otherwise fair and benign features of her polity. The galling yoke of slavery is still felt by some of our fellow-creatures, in different parts of this commonwealth, and its pressure is made the more severe, by witnessing the happiness and freedom of surrounding multitudes. A recent act of cruelty which came under my notice, and which awakened feelings of a painful and distressing nature, will, I trust, excuse the introduction to your notice of a subject so interesting to the whole human family, and embracing facts and practices palpably inconsistent with the terms and spirit of that fundamental and immutable law of reason, 'That all men are born free and equal.'" The allusion above to the act of cruelty shows that the Governor's heart was open to generous emotions, and that it was touched with pity by every pang, the result of wrong and injustice, inflicted upon even the lowliest of the human species.

The following incident, given by John Binns, a friend of the Governor, who was present when the facts related transpired, also illustrates the goodness of the Governor's heart, and his readiness to vindicate the rights of the weak when unjustly assailed. "Soon after the inauguration of Governor Snyder," says Mr. Binns, "in 1808, I was sitting with him

in a room at his lodgings at Bausman's tavern in Lancaster. The room was upon the second floor, and it was evening. A waiter entered and said, 'There are some gentlemen below who desire to speak with the Governor.' 'Tell them to walk up,' said the Governor. In a few minutes seven well-dressed persons entered. The foremost of them said, 'We wish to speak with the Governor on a matter of business.' The Governor answered, 'I have no objection that my friend Mr. Binns should hear anything you may wish to say to me, or anything I may have to say in answer.' The speaker for the party then said, 'We are all applicants for the public offices in Chester County. We have waited upon your Excellency to say that we shall be quite satisfied, and shall zealously support your administration, whoever you may appoint, with the exception of Charles Kenny. He is an Irishman. We know that his appointment would be very unpopular.' The Governor bowed and made answer, 'I shall consider, gentlemen, what you have said.' The gentlemen applicants bowed respectfully and retired. The Governor turned promptly towards me, and said, 'That 's a selfish combination against an absent individual. I shall appoint Kenny.' He did appoint him Clerk of the Orphans' Court of Chester County, and he was as good an officer and as popular an appointment as any that he made."

Governor Snyder was not the man to be intimidated by threats, or driven from any policy which he thought to be right, in the hope of thereby gaining a temporary popularity. Few men have been bolder, or more independent in their public acts, or have been less swayed by considerations of selfish expediency than he. In the session of the Legislature of 1813–1814, a bill was passed by a large majority chartering forty banks. It was upon the eve of making the nomination for governor for the succeeding term. At that time the nominations were made by the members of the Legislature. After assembling in caucus, it was remarked that the Act chartering the banks was still in the hands of the Governor, and that a nomination should not be made until it was seen whether he

approved the bill. But no considerations like this could sway Governor Snyder, and promptly within three days from the time of its passage, he returned the bill with a statement of his objections. It did not pass at that session. The Governor's independence was the theme of universal encomium; and he was re-elected by a majority of over twenty thousand votes.

During the administration of Governor Snyder a notorious woman, Ann Smith, *alias* Carson, formed a bold scheme for abducting the Governor's youngest son, then a lad at school, and for holding him until the pardon of her paramour, who was under sentence of death, should be secured. For this purpose she started from Philadelphia with two hired ruffians, armed to the teeth, and was making her way to Selinsgrove, on the Susquehanna, where the Governor's family resided. The Governor was secretly informed of their coming, and was prepared to receive them. They were allowed to pass Harrisburg undisturbed; but at Hunter's Falls, ten miles above, where they stopped for the night, and where they were drawn into conversation disclosing their purposes and exhibiting their arms, they were all apprehended, and after a trial and conviction were given a home in the penitentiary.

Upon retiring from the office of Governor, in 1817, he returned to his residence near Selinsgrove, and at the next general election was chosen to the State Senate, but only served during one session. He died of typhoid fever, on the 9th of November, 1819. The last half year of his life was rendered unhappy by domestic afflictions, and the weight of grievous cares. His long residence at the seat of government had prevented him from giving that attention to the management of his extensive estates which they required, and he in consequence found himself much embarrassed. The death of his son Frederick, which occurred at this time of business anxiety, broke his spirit, and prepared his system for the disease of which he died.

He was three times married: in 1790, to Elizabeth Michael,

who died on the 10th of November, 1794, leaving two children; on the 12th of June, 1796, to Catharine Antes, who died on the 15th of March, 1810, leaving five children; and on the 16th of October, 1814, to Mary Slough Scott, a widow, who died October 8, 1823.

The feelings which actuated Governor Snyder in the discharge of the duties of a long public service are forcibly expressed in the closing paragraphs of his last annual message to the Legislature: "Having discharged as well the Constitutional injunction as those duties assigned by law, and recommended what in my judgment would promote the public weal, it remains for me to add, that it has ever given me the purest pleasure to co-operate with the General Assembly in such measures as were calculated to perpetuate the happiness of our constituents; that in the discharge of executive functions I was ever solicitous to collect my duty from a just appreciation of every circumstance by which it might be affected. I heard with attention, and endeavored to decide with integrity. I had a wish, it is true, to regard the public voice, and I confess myself to have been ambitious to conciliate and enjoy the public confidence. But I could never abandon the superior claims of self-approbation and conscious rectitude. Satisfied on these points, (and ever aware that in the performance of executive duties by a merely practical man it is difficult, if not impossible, to avoid error,) I have ever acted without in the least regarding what the world might say about it; and those who know me best can bear witness that I have borne with patience the consequences which, to me, have casually resulted from them. For the errors I may have committed, I am consoled with the reflection that perhaps no important good was ever altogether free from alloy, and that my fellow-citizens will, I trust, charitably find a palliation in the motive which at any time may have misled me. The confidence and support which I have experienced from my fellow-citizens for the greater portion of an active life, have impressed my mind with deep and lasting gratitude. A consciousness of having

with diligence and fidelity endeavored to discharge the duties which a partial public has on various occasions assigned me, and of the liberality which has been evinced towards me by a succession of legislatures during an arduous administration, heightens the satisfaction I have in surrendering it to an able successor. And whilst I bid you, and my fellow-citizens generally, an affectionate farewell, I implore for my country the blessings of an all-wise superintending Providence."



Wm Findley

## WILLIAM FINDLAY,

### GOVERNOR UNDER THE CONSTITUTION OF 1790,

*December* 16, 1817, *to December* 19, 1820.

WILLIAM FINDLAY, the fourth Governor of Pennsylvania under the Constitution of 1790, was born at Mercersburg, Franklin County, on the 20th of June, 1768. The progenitor beyond whom he never traced his lineage was Adjutant Brown, as he was called, who took part in the defence of Derry, Ireland, during its famous siege in 1566, and afterwards emigrated to this country with his daughter Elizabeth. The daughter married Samuel Findlay, of Philadelphia. A son by this marriage, Samuel, settled, some years before the opening of the Revolutionary War, at Mercersburg, a place which was then of more trade and importance relatively than now. It was an entrepot, where goods to be sent west of the mountains were brought in wagons and transferred to pack-horses. It is situated at the base of the Blue Ridge, in that great valley — the Shenandoah in Virginia and Cumberland in Pennsylvania — which stretches from the borders of Tennessee to the Hudson. In the year 1765, he was married to Jane Smith, a daughter of William Smith. She died in the thirty-fifth year of her age, the mother of eight boys, six of whom survived her. These lived to be men, and all of them attained respectable, and some of them distinguished positions in the communities where they lived. Had that young mother been spared to look on them in their manhood, she might have regarded them with the complacency of Cornelia herself. Her fine understanding, her piety, her maternal tenderness and affection, were themes on which

those of her children who were old enough when she died to know and appreciate her virtues, fondly loved to dwell.

William, the subject of this sketch, was the second of this family of sons. The Scotch-Irish, the name by which emigrants from the north of Ireland were known, at an early day settled in great numbers in the Cumberland Valley, and at Mercersburg they formed almost the exclusive population. Like the Scotch, from whom they were descended, they appreciated the importance of a good education. A knowledge of the common English branches they deemed indispensable for all their children; while one son in a family, at least, if it could be accomplished by any reasonable sacrifice, received a classical education. William, in his boyhood, displayed that activity of mind and thirst for knowledge which were the characteristics of his manhood. His leisure hours were devoted to reading such books as were accessible. They were few, but they contained solid and useful information, very different from many of those which a prolific and unscrupulous press supplies the youth of the present day. They were read with care, and their contents made the subject of reflection. It was the intention of his parents to have given him a collegiate education, in preparation for one of the learned professions, which, had he been allowed his choice, would have been that of the law. A fire, which consumed his father's store and dwelling, caused so severe a pecuniary loss that this cherished purpose had to be abandoned. His instruction was therefore only such as could be obtained in the schools of the neighborhood. The meagre advantages afforded him were studiously improved, and the natural activity of his mind and his ambition to excel enabled him to make substantial acquirements. He wrote with correctness and perspicuity, had a general knowledge of American and English history and literature, and although not a technical lawyer, he acquired that "competent knowledge of the laws" of his country which Blackstone pronounces to be "the proper accomplishment of every gentleman."

On the 7th of December, 1791, he was married to Nancy

Irwin, daughter of Archibald Irwin of Franklin County, and commenced life as a farmer on a portion of his father's estate, which, at the death of his father, in 1799, he inherited.

He was a political disciple and a great admirer of Mr. Jefferson, and at an early age took an active part in politics. The first office which he ever held was a military one, that of Brigade Inspector of Militia, requiring more of business capacity than knowledge of tactics. The Brigade Inspector ranked as Major, and to be Major of Militia in those days was considered no small honor. To the veterans of the Revolutionary War it was given to become Generals and Colonels. Musters and reviews of brigades and divisions were held annually, when the whole country-side turned out to view and enjoy the spectacle. Military promotion led to political preferment. The election of a Colonel or Major was as fiercely contested as that of a Governor, and the candidates were often if not generally of opposite parties.

In the autumn of 1797, that immediately succeeding the inauguration of John Adams as President of the United States, at a time when the only newspaper published in Franklin County was the organ of the Federalists, with its columns strictly closed against the Republicans, Mr. Findlay was elected a member of the House of Representatives of the State Legislature, which then sat in Philadelphia. He was then in the thirtieth year of his age, and found himself, if not the youngest, among the most youthful in a body where it was the custom to send men more advanced in years than at present.

He was again elected to the House in 1803. Mr. Jefferson had succeeded Mr. Adams in the Presidency, and the Republicans were in the ascendant in both National and State Governments. The capital had, by the Act of April 3d, 1799, been temporarily established at Lancaster. Mr. Findlay at this session proposed that it should be permanently established at Harrisburg. The proposition then failed; but it was eventually carried, and in 1812 the removal was effected. He proved himself a leading member, and one of

the most useful in the House, being placed in the most responsible positions. He was a member of the Committee of Ways and Means; of a committee to define by bill contempt of court; chairman of a committee to draft an address to the Governor asking the removal of an associate judge; member of a committee to revise the laws relating to insolvent debtors; and of a committee to inquire what alterations in the penal laws were necessary to prevent kidnapping.

At the session of 1802–3 the petition of Thomas Passmore had been presented to the House praying for the impeachment of Edward Shippen, Jasper Yates, and Thomas Smith, judges of the Supreme Court, who had committed Passmore for contempt of court. It was not acted upon at that session; but was taken up as an item of unfinished business at the session of the following year, and was referred to the committee of grievances, who, on the 13th of March, reported the following resolution: "That a committee be appointed to draft articles of impeachment against the said Edward Shippen, Esq., Chief Justice of the Supreme Court of Pennsylvania, and Jasper Yates and Thomas Smith, Esqs., judges of the said court, for a high misdemeanor in their official capacity, by arbitrarily and unconstitutionally fining and imprisoning Thomas Passmore," which was agreed to by a large majority. Articles of impeachment were accordingly adopted, and on the 23d a committee was appointed to exhibit them to the Senate, and to manage the trial on behalf of the House. At the next session the trial was proceeded with, but resulted in the acquittal of the accused. Mr. Findlay voted against the proposition ordering the preferment of articles of impeachment, from a conviction, doubtless, that the judges had not exceeded their common law powers, and that they had acted conscientiously and with no intention to oppress. Judge Breckenridge, one of the judges of the court, but who happened to be absent from the bench when his brethren had committed Passmore, addressed a letter to the House, after Passmore's petition had been presented, requesting to be impeached, not for any act of his own, but for his approbation

of the official conduct in the case. The letter was considered disrespectful to the House, and was referred to a committee, of which Mr. Findlay was chairman, with power to send for persons and papers. The committee decided against indulging the judge in his magnanimous desire to share the fate of the accused. But although they declined to accuse him of a crime which he had not committed, they determined so far to gratify him, as to go into a general investigation of his official conduct, and recommended the appointment of a committee to prepare an address to the Governor asking for his removal from office. This was accordingly done, and the measure was carried through both Houses by the requisite constitutional majority; but it failed to unseat the meddlesome Judge, Governor McKean, who was then in the chair of State, deciding that the action of the Legislature was not mandatory, but simply empowered him to act or not at his discretion, and he deemed the offence proven insufficient to warrant removal.

When the act to revise the judiciary system was before the House, Mr. Findlay offered additional sections, providing that a plaintiff might file a statement of his cause of action instead of a declaration; for reference of matters in dispute to arbitration; that proceedings should not be set aside for informality; that pleadings might be amended, and amicable actions and judgments entered without the agency of an attorney.

These provisions were not then adopted, but they afterwards became and still are a part of the statute law. The object aimed at by their mover was doubtless to enable parties to conduct their own cases in court without professional assistance. This the enactments have failed to accomplish; but they have been of great advantage to attorneys themselves, enabling them to cure their own errors and omissions, to which they as well as the unlearned are liable.

On the 13th of January, 1807, Mr. Findlay was elected State Treasurer, whereupon he resigned his seat in the House. From that date until the 2d of December, 1817,

when he resigned to assume the duties of chief magistrate, a period of nearly eleven years, he was annually re-elected by the Legislature to that office, in several instances unanimously, and always by a strong majority, not uncommonly being supported by members politically opposed to him. During nearly four years of this time the United States were at war with England, and the resources of the country were severely taxed. In addition to this, the Legislature had chartered the *Forty Banks* over the veto of Governor Snyder, about which a violent contest had occurred, and the State was flooded with depreciated paper currency. Notwithstanding the constant vigilance and scrutiny of the careful and reliable chief clerk of the Treasury, Alexander Wilson, about seven hundred dollars of uncurrent money had been taken at its counter. Determined that the State should not suffer loss by this misfortune, Mr. Findlay paid the amount out of his private funds. This action coming to the knowledge of the Legislature, a bill was promptly passed for refunding to him the money, thus consummating a measure of simple justice, and bearing testimony to the integrity and worth of the officer.

In 1817, Mr. Findlay was nominated by the Republicans as their candidate for Governor. General Joseph Hiester was selected by a disaffected branch of the Republican party, styled Old School Men, to oppose him, who was supported also by the Federalists. The result was a triumph for Findlay, who was elected by a majority of over seven thousand votes. During the canvass party spirit ran high, and it did not subside when the result of the contest was known. The Governor elect had no sooner resigned the office of State Treasurer, than a party in the Legislature, instigated by his political opponents, moved the appointment of a committee to inquire into his conduct in the office which he had just vacated. The confidence of friends and foes alike in his capacity during the long period of eleven years, and the regular scrutiny and approval of his accounts by the auditing department of the Government and of the Legislature itself, were

regarded as of little weight compared with the gratification of party rancor and personal spite. The investigation lasted nearly the entire session. The Treasurer offered no witnesses in his behalf, nor was he present in person or by attorney at the sittings of the committee. A report was finally made that "the conduct of the State Treasurer in his official capacity has been not only faithful, but meritorious and beneficial to the State, and entitles him to the thanks and gratitude of his fellow-citizens."

At the same session a petition was presented to contest his election as Governor; but this was abandoned, when it was found that the postponement of his inauguration, which was doubtless its real object, had failed. Again at the session of 1819–20 the Governor's official conduct was the subject of inquiry; but, like that of his management of the Treasury, resulted in his triumphant vindication. It was thus that party warfare was waged. One at least of the active opponents of Governor Findlay, then a young man and rising lawyer, who afterwards attained eminence at the Philadelphia Bar, acknowledged with a frankness and cordiality which did him credit, that injustice had been done the Governor in these proceedings.

In 1820, Governor Findlay again received the unanimous nomination of the Republicans for re-election, and Joseph Hiester was nominated as before by the Republicans of the Old School, and was supported by the Federalists *en masse*. Under the Constitution of 1790, the patronage of the Executive was immense. To him was given the power of appointing, with few exceptions, every State and County officer. This power, considered so dangerous that, by the Constitution of 1838 and subsequent amendments, the Executive has been stripped of it almost entirely, was, in fact, dangerous only to the Governor himself. For while he might attach one person to him by making an appointment, the score or two who were disappointed became, if not active political opponents, at least lukewarm friends. Many trained and skilful politicians had been alienated from the support of Governor Findlay by

their inability to share or control patronage. The result was the election of his opponent.

At the general elections of 1821, the Republicans regained ascendancy in the Legislature. At the session of 1821–22, while Governor Findlay was quietly spending the winter with a friend and relative in Franklin County, he received notice that he had been elected to the Senate of the United States for the full term of six years from the preceding 4th of March. He immediately set out for the capital, where he took his seat and served the entire term with distinguished ability. While he was in the Senate, two of his brothers, Colonel John Findlay, of Chambersburg, and General James Findlay, of Cincinnati, Ohio, were members of the National House of Representatives. We are reminded by the following paragraph from the Harrisburg *Intelligencer*, of 1824, that travel to and from the capital then, even from contiguous States, was by no means so rapid and convenient as now: "Mr. Findlay, of the United States Senate, also, left this place for Washington yesterday, by way of Baltimore, in a gig."

After the expiration of his senatorial term he was appointed by President Jackson Treasurer of the United States Mint at Philadelphia. This office he held until the accession of General Harrison to the Presidency, when, unwilling at his advanced age to be longer burdened with its cares and responsibilities, he resigned. The remainder of his life was spent in retirement with the family of his son-in-law, Governor Shunk, at whose residence, in Harrisburg, he died on the 12th of November, 1846, in the seventy-ninth year of his age.

The building of the State capitol was commenced during his administration. He was one of the Commissioners named in the Act which authorized its erection, and the corner-stone at the south-west corner of the building was laid by his hand. During his entire term of office the Legislature sat in the old Court-House of Dauphin County. There was no Governor's mansion provided by the State, nor even an Executive Cham-

ber. In one of the most convenient houses that could then be rented in Harrisburg, since greatly enlarged and improved by its present owner, the Rev. T. H. Robinson, D.D., he received all visits, whether of business or courtesy. His back parlor was his office, and here, too, weekly, during the session of the Legislature, he entertained the members and distinguished visitors to Harrisburg at dinner.

The only slave that he ever owned he manumitted in 1817, with this emphatic declaration: "The principles of slavery are repugnant to those of justice, and are totally irreconcilable with that rule which requires us to do unto others as we would wish to be done by." Upon the subject of slavery, and its natural concomitant, kidnapping, which at this period was becoming vexatious, Governor Findlay, in his message of 1819, says: "The punishment of kidnapping is not proportioned to the offence, and requires to be increased. In connection with this subject I have to observe, that it is usual to take colored persons in numbers chained together through our State, and especially through the south-western parts of it, without inquiry being made into the cause, or object of the procedure. This practice affords inducements to the commission of crime, and facilities in escaping from detection." And again in his message of the following year, he says: "I cannot forbear to urge upon your attention the necessity for some provisions for the punishment of the crime of kidnapping, more adequate to the prevention of the offence, as well as more proportioned to other punishments for crimes of inferior grade. *It is a melancholy fact, that our laws regard the stealing of a horse a more heinous offence than the stealing of a man.*"

In person, Governor Findlay was tall, with fair complexion and dark-brown hair. He had a vigorous constitution and a cheerful disposition. He was affable and courteous in his address, fond of conversation, but did not monopolize it. He understood and practiced the habits of a good listener. He exhibited great tact in drawing out the reserved and taciturn, and enabling them to figure well in conversation by giving rein to their hobbies. He possessed

a remarkably tenacious memory of names and faces. After a long separation, he could recognize and call by name a person with whom he had had but a short and casual interview. His acquaintance was probably more extensive, and his personal friends more numerous, than those of almost any other public man of his day

In his domestic relations he was most exemplary, an affectionate husband and the best of fathers. He was pre-eminently an unselfish man. He was charitable in the largest sense. Thinking no evil himself, his unsuspecting benevolence was often imposed upon. He was a Christian in faith and practice. Baptized and brought up in the Presbyterian Church, he accepted its standards, and respected and hospitably entertained its ministers. In his inaugural address as Governor, in enumerating the duties which should be required of public servants, he included that of cherishing "by their example, the purity and beauty of the religion of the Redeemer."

On the 27th of July, 1824, he sustained a great domestic affliction in the death of his wife, for whose excellent sense and judgment he had a profound respect, and who for more than thirty years had been the object of his constant and confiding affection. She died at Pittsburg, where he was residing during the recess of Congress. She was an humble, devoted Christian, and in her last hours looked unmoved upon the approach of death. She managed her husband's household with admirable prudence and judgment, relieved him from domestic cares, presided at his table and dispensed his hospitality with dignity and ease, and cheered him amid the labors and responsibilities of official life with her sympathy and counsel. One daughter and five sons were the issue of this marriage.



Joseph Hiester



## JOSEPH HIESTER,

### GOVERNOR UNDER THE CONSTITUTION OF 1790,

*December* 19, 1820, *to December* 16, 1823.

THE remote ancestors of the Hiester family in this country were of Silesian origin, and in process of time the descendants spread through the countries bordering on the Rhine. Three brothers of that name, Daniel, John, and Joseph, emigrated to America in the year 1737, and settled at Goshenhoppen, then Philadelphia County, now Montgomery. They soon afterwards purchased of the Proprietary Government a tract of several thousand acres in Bern township, now Berks County. Here John and Joseph settled, and on the 18th of November, 1752, the subject of this sketch was born. He was the son of John Hiester, and at an early age was put to the lighter labors of the farm with his father. Subduing the forest, and bringing the soil under cultivation with the imperfect farm implements then in use was a herculean task, and required a strong will and stout hands. He was himself accustomed to relate, that he was put to the plough so young that when it struck a stump or stone and was thrown from the furrow, he had not strength sufficient to right it till it had run a considerable distance, and when caught in a root the rebound would sometimes throw him prostrate.

The father often recounted to the son the considerations which induced him to leave the old country, and to contrast the freedom and independence that was here enjoyed with the vassalage in which the peasantry were there held. They were kept perpetually poor and dependent by the burdens and

taxation imposed by the government and the nobility, with no prospect of any means of improvement. The accounts which reached them of prosperous settlements in the New World, where the hand of power was scarcely felt, gave them hope; and thither the brothers turned their faces, seeking in the then wilds of Pennsylvania a habitation, where in process of time one of their offspring came to rule a State more powerful, prosperous, and happy than the ancient dynasty which they left behind.

In the intervals of farm labor which the winter season afforded, the son received the rudiments of an English and German education. In 1771, in his nineteenth year, he married Elizabeth Whitman, daughter of Adam Whitman, a highly respectable citizen of Reading, then an insignificant village. Thither shortly after his marriage he removed, and went into mercantile business in company with his father-in-law. In politics he was a Whig,—a party which had been formed in Pennsylvania to oppose the policy of the Proprietary Government, and which afterwards warmly espoused the cause of the Revolution. As a representative of that party he was chosen a member of the State Conference which met in Philadelphia on the 18th of June, 1776, and which in reality assumed the government of the Colony, called a convention to frame a new constitution, gave instructions for the guidance of its representatives in Congress, and authorized the calling out of troops for the Continental army. In all these proceedings he was a warm supporter of the popular cause.

He was then a captain of militia, and no sooner had the Conference in Philadelphia adjourned, than he hastened home to arouse the young men of his section to the importance of joining the national standard, at that time but feebly supported. A biographical sketch of this period of his life, published in the *United States Gazette*, furnishes the following graphic account of this summoning to arms: "It was in the twenty-third or twenty-fourth year of his age that General Joseph Hiester first rallied under the standard of his country, and took up arms in defence of her independence. It was a

gloomy period, at which many hearts, that had beaten high, were sickened and sad in the bosoms of those who now had melancholy forebodings of the issue of the contest in which they had cheerfully embarked — at a time when the great, the good, the peerless Washington had much cause to complain of the want of men and means to meet the enemies of his country. It was late in the year 1775, or early in 1776, that he, then a vigorous, powerful, influential young man, called together by beat of drum his fellow-townsmen of Reading, to take into consideration the alarming state and gloomy prospects of their country. Reading was then an inconsiderable town with a small population. Having convened about twenty-five or thirty, he explained to them the necessity there was, that they also should be up and doing in the cause of their common country. He stated that their beloved General was then believed to be in a most perilous situation in New Jersey; that his friends and fellow-soldiers were but few, while his foes and the foes of America were thickening and multiplying on every side. Having, so far as in his power, embarked the sympathies and aroused the patriotism of his hearers, he expressed his anxious desire to raise a company of volunteers, and march to the assistance of Washington. He was heard with attention and respect, and his proposition was kindly received. He then laid forty dollars on the drum-head, and said: 'I will give this sum as a bounty, and the appointment of a sergeant to the first man who will subscribe to the articles of association to form a volunteer company to march forthwith and join the Commander-in-chief; and I also pledge myself to furnish the company with blankets and necessary funds for their equipment, and on the march!' This promise he honorably and faithfully fulfilled. After our young captain had thus addressed his neighbors, they consulted together, and Matthias Babb stepped forward from among them, signed the articles and took the money from the drum-head. This example, and further advancements of smaller sums of money, induced twenty men on that evening to subscribe to the articles of association. Notices and invi-

tations were sent through the neighborhood; other meetings were held, and in ten days from the first meeting Captain Hiester had eighty men enrolled. They were promptly organized and ready to march to join the Commander-in-Chief."

The State authorities were engaged in forming what was known as a Flying Camp. The success which had attended the efforts of Captain Hiester in obtaining men made them desirous of inducing him to extend his efforts, and a regiment or battalion was shortly obtained. The men would have gladly made him their Colonel; but this he declined in favor of one who desired the position, as he did also that of Major, declaring that he would willingly serve in the ranks, if by such duty he could better aid their common country. He in good faith went among his men and urged the choice of the gentlemen who sought the positions, and by his magnanimous exertions in their behalf secured their election. Upon the arrival of the command at Elizabethtown, New Jersey, it was found that General Washington had moved to Long Island, whereupon considerable dissatisfaction was manifested, many of the men claiming that by the terms of enlistment they were not obliged to leave their own State. Hiester was determined to hasten forward to the support of Washington, whom he knew to be in sore need of help. "This," says the authority above cited, "was a critical and painful state of affairs. What was to be done? What could be done to induce the men to go forward? They were drawn up in a compact body, and Captain Hiester addressed them in such honest, suitable, and impassioned language, that they warmed as he warmed, they soon felt as he felt, and their hearts beat in unison with his. One who was present on that trying occasion, said to me, 'I wish to God, I could tell you what the Captain said, and how the men looked and felt; "You have marched thus far," said he, "resolved to fight your country's foes, and defend your homes and families: and will you now prove cowards and desert your country, when your country most wants your help? I would be ashamed to return home with you? I will go for-

ward, yes, if I go by myself, I will go and join General Washington as a volunteer, as a private. If you will not go I will go alone. But surely," said he, "you will not turn your backs upon the enemy, and leave your country at their mercy. I will try you once again — Fall in! Fall into your ranks, men! and those who are ready to fight for freedom and America, will, when the drum beats, and the word is given, march to join George Washington." The men fell in. They shouldered their muskets. The drums were beaten, and on the word "March!" the whole line, except three men, moved forward. Those three soon sprang into the ranks, three cheers were given, and they were forthwith on their march to Long Island.'"

That gallant Captain little knew the hard fate that was to await him in the fulfilment of his patriotic desires. His regiment joined the patriot army, and came often in conflict with the enemy, when many were wounded and killed. Finally Captain Hiester and most of his surviving men were taken prisoners, and he, with many other American officers, was confined on board the notorious prison-ship, the *Jersey*, where they were subjected to every indignity which refined cruelty could invent. British arms were dishonored, and the British name made hateful by the inhuman treatment here accorded. Jonathan Russell, one of the Commissioners on the part of the United States who concluded the treaty of Ghent, in an oration delivered on the 4th of July, 1800, at Providence, Rhode Island, delineated the horrors of that imprisonment in the following strain of patriotic frenzy: "But it was not," he says, "in the ardent conflicts of the field only that our countrymen fell; it was not the ordinary chances of war alone which they had to encounter. Happy indeed, and thrice happy were Warren, Montgomery, and Mercer; happy those other gallant spirits who fell with glory in the heat of battle distinguished by their country and covered with her applause. Every soul, sensible to honor, envies rather than compassionates their fate. It was in the dungeons of our inhuman invaders; it was in their loathsome and pestiferous

prison-ships, that the wretchedness of our countrymen still makes the heart bleed. It was there that hunger and thirst, and disease, and all the contumely cold-hearted cruelty could bestow, sharpened every pang of death. Misery there wrung every fibre that could feel before she gave the blow of grace which sent the sufferer to eternity. It is said that poison was employed. No — there was no such mercy there. There nothing was employed which could blunt the susceptibility to anguish, or which by hastening death could rob its agonies of a single pang. On board one only of these prison-ships above *eleven thousand* of our brave countrymen are said to have perished. She was called the *Jersey*. Her wreck still remains, and at low ebb presents to the world its accursed and blighted fragments. Twice in twenty-four hours the winds of heaven sigh through it, and repeat the groans of our expiring countrymen, and twice the ocean hides in her bosom those deadly and polluted ruins, which all her waters cannot purify. Every rain that descends washes from the unconsecrated bank the bones of those intrepid sufferers. They lie naked on the shore, accusing the neglect of their countrymen. How long shall gratitude and even piety deny them burial? They ought to be collected in one vast ossery, which shall stand a monument to future ages, of the two extremes of the human character; of that depravity which, trampling on the rights of misfortune, perpetrated cold and calculating murder on a wretched and defenceless prisoner, and that virtue which animated this prisoner to die a willing martyr for his country. Or rather, were it possible, there ought there to be raised a *colossal column* whose base, sinking to *hell*, should let the murderers read their *infamy* inscribed on it, and whose capital of *Corinthian* laurel ascending to *heaven* should show the sainted *Patriots* that they have triumphed. Deep and dreadful as the coloring of this picture may appear, it is but a faint and imperfect sketch of the original. You must remember a thousand unutterable calamities, a thousand instances of domestic as well as national anxiety and distress, which mock description. You ought to remember them,

you ought to hand them down in tradition to your posterity, that they may know the awful price their fathers paid for freedom."

From this prison-ship Captain Hiester was taken, and thrust into confinement in New York, where the want of food, and general harsh treatment of the captives, was scarcely a remove better than they had experienced on board the *Jersey*. He was here attacked with a low fever, and became so feeble and emaciated that he was obliged, in passing up and down stairs, to crawl on his hands and knees. After several months' imprisonment he was exchanged, and was set at liberty, having been plundered of his money and clothing. He immediately repaired to Reading, and after having regained his strength returned to the army. He arrived in time to participate in the battle of Germantown, and while engaged with a company of the enemy's horse, he received a wound in the head, but not of a dangerous nature. In the varied fortunes of the patriot army he continued to share until the close of the war, when, seeing the liberty of his country fully assured, he returned with joy to the bosom of his family.

He was chosen a member of the convention which assembled in Philadelphia in 1787 for the ratification of the Constitution of the United States, and in 1789 he was a member of the convention which framed the State Constitution of 1790. For several successive years, he was a member of the Legislature, where he was distinguished for his practical knowledge of affairs, and for his good sense in the duties of legislation. In 1799, after the removal of his uncle Daniel, who had previously represented the Berks district in Congress, to Maryland, he was elected a member of that body, to which he was regularly returned until 1805, and again from 1815 to 1821, a period of fourteen years. Before the expiration of his last term, he resigned to accept the nomination of Governor of Pennsylvania, tendered him by the Independent Republican party, supported by the Federalists. He was elected over his competitor, Governor Findlay, and served for one term of three years. "It is a fact well known," says

his biographer before quoted, "to the political and personal friends of General Hiester, that he was reluctantly induced to become a candidate for the office of Governor, and that he yielded his consent upon the express and well understood condition that he would serve but one period. It is equally well known that at the end of that period of service he resolutely refused again to permit the use of his name, although urged by partisans and by many friends to be a candidate."

His administration was characterized by great activity in promoting the growth and prosperity of the Commonwealth, and especially in pushing forward its internal improvements. The period was one of sharp political contest, and the disposition to attack those in power and call them in question for every offence, or conceived offence, had been exercised without license during the rule of his immediate predecessor. In alluding to this subject in his inaugural address he says: "But, I trust, if any errors shall be committed, they will not be chargeable to intention. They will owe their origin to the imperfection of our nature and the narrow limits of human foresight. They will not proceed from a wilful neglect of duty on my part, nor from any want of devotion to the best interests of our beloved country. Such errors I may justly hope will meet with indulgence from an enlightened and liberal people. Where censure shall, upon a full and impartial view of matters, be merited, let it not be withheld. It is the duty of freemen to examine closely into the conduct of those to whom they have delegated their power, or the guardianship of their rights and interests, to censure the abuse of the one, or the neglect and mismanagement of the other. Considering myself as elected by the people of this Commonwealth, and not by any particular denomination of persons, I shall endeavor to deserve the name of Chief Magistrate of Pennsylvania, and to avoid the disgraceful appellation of the Governor of a party."

As has already been noticed in the sketch of Governor Findlay, the enormous patronage at the disposal of the Executive had become very troublesome. Its dispensation had

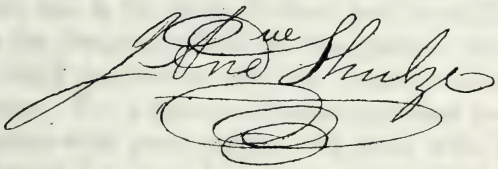
actually become an object of dread to every one who approached it, and we find Governor Hiester calling the attention of the Legislature, among other subjects of reform, to the devising of some means of relief therefrom. "Permit me," he says, "to suggest to you, whether it would not be possible to devise some method of reducing the enormous power and patronage of the Governor, without impairing the other general features of our present excellent Constitution; and whether the annual sessions of the Legislature might not be shortened without detriment to the public good. . . . It also deserves serious consideration whether public improvements might not at this time be advantageously made, and domestic manufactures encouraged with success. *Above all it appears an imperative duty to introduce and support a liberal system of education connected with some general religious instruction.*"

At the expiration of his term of office he withdrew altogether from public employments, and sought that peace and quiet in private life to which a long period of public service had justly entitled him. He died on the 10th of June, 1832, in the eightieth year of his age, and was buried in the grounds of the German Reformed church at Reading. The attendance of the military, and other demonstrations of respect and attachment, which were promptly tendered, were declined, and he was followed to the grave by a great concourse of mourning relatives and fellow-citizens, without display or ostentation, in keeping with the republican simplicity which had marked the whole course of his long and useful life.

The last paragraph of his last annual message to the Legislature, that in which he took a final leave of all public employments, is so instinct with devotion and pathetic tenderness that it may properly form the conclusion to this memoir. "Having been," he says, "for nearly fifty years occasionally engaged in various highly responsible situations in the service of my country, having witnessed its progress from Colonial vassalage to independence and sovereignty, it is with most sincere pleasure that, on quitting the theatre of action, I can congratulate you, and our fellow-citizens at large, on the

propitious situation in which it is now placed; and I avail myself of the occasion it affords of repeating my fervent prayers to the Almighty Ruler of the Universe, under whose superintending influence it has attained to its present eminence, that he may continue to cherish it with his fostering care, preserving its citizens in the free enjoyment of their just rights and republican institutions, until all earthly governments shall be terminated by the consummation of time."







## JOHN ANDREW SHULZE,

### GOVERNOR UNDER THE CONSTITUTION OF 1790.

*December* 16, 1823, *to December* 15, 1829.

POLITICAL organizations underwent a radical transformation during the administration of Governor Shulze. The discussions in the convention which framed the Constitution of the United States gave birth to two parties in that body. When the conventions met in the several States to ratify it, discussions of the same purport were repeated, the members ranging themselves on opposite sides as in the originating assembly. The newspapers were likewise divided, and through them the people. The one party believed that the Constitution gave the States too much power, and favored a greater degree of strength and centralization in the National Government, while the other with equal zeal argued that the States were shorn of their sovereignty and despoiled of their rights. Washington was, however, elected with great unanimity the first President, though he was known to strongly favor the Constitutional party. His Cabinet was divided, and as the terms Federal and Republican came into use as the designations of the two parties, Adams and Hamilton allied themselves with the former, while Jefferson led the latter. For a quarter of a century these parties combated each other with great ability, and often with acrimony. At the end of that period, a degeneracy, which had for some time been perceptible, culminated in a general dissolution, and the two old parties were known no more.

In the election of a Governor in 1823, Andrew Gregg was supported by the independent Republicans and Federalists,

which had twice before triumphed, the latter party in convention at Lancaster, over which James Buchanan presided, resolving that "We, as Federalists, will support Andrew Gregg, of Centre County, for Governor of Pennsylvania." The Republicans nominated John Andrew Shulze, and were again successful.

Mr. Shulze was born on the 19th of July, 1775, in Tulpehocken township, Berks County, Pennsylvania. His father was a clergyman of the German Lutheran Church, and had several congregations to which he ministered. The son received his early instruction in English and German from his father. He was afterwards put to an institution in Lancaster, and while there was under the immediate care of his uncle, Dr. Henry Muhlenberg. He completed his preparation for college in York County, under the instruction of the Rev. Mr. Melsheimer.

He received a finished classical education in the city of New York, and afterwards studied theology there with his uncle, Dr. Kunze, a celebrated divine of that day. In 1796, he was admitted as a member of the German Lutheran Synod, and was shortly afterwards ordained a minister in that church. For a period of six years he officiated as pastor of several congregations in Berks County, and was esteemed and loved by all who knew him.

In 1802 a rheumatic affection from which he had long suffered obliged him to suspend his labors in the ministry, and two years later, finding no improvement in his condition, he was induced to seek other occupation. He accordingly entered upon mercantile business in the village of Myerstown, then Dauphin County, in which he continued for several years, accumulating a small fortune.

In 1806 he was elected a member of the House of Representatives of Pennsylvania, and was re-elected for the two succeeding years. He was urged by his constituents to accept a nomination for a fourth term, but declined. The journals show that during the period in which he was in the House, there was no more active or efficient member than Mr.

Shulze, or one whose votes will better stand the test of minute scrutiny. He was a consistent Republican throughout, manifesting an ardent attachment to the Constitution, and the principles which he had received from a pious and patriotic father, and which characterized the whole course of his life.

His business qualifications and his probity attracted the attention of Governor Snyder, who, in 1813, appointed him Surveyor-General of the State. This office, at that time an important and responsible one, he declined. Governor Snyder then tendered him the positions of Register, Recorder, Prothonotary, Clerk of the Orphans' Court, and Clerk in the Sessions Court of Lebanon County, which he accepted. In the discharge of the duties of this office he continued until the expiration of Governor Snyder's term, when he was recommissioned under the appointment of Governor Findlay. In the early part of 1821, though warmly solicited by large numbers of the citizens to remain in this position, he resigned, and was in October of that year elected to represent Lebanon County in the House of Representatives. In the following year he was chosen a State Senator for Dauphin and Lebanon counties, carrying the district by a large majority, though opposed by a well-organized party.

Before he had been a year in the Senate, he was selected as candidate for Governor by the Republican party, and was elected by a majority of over twenty-five thousand. He was nominated for a second term in 1826, and was elected with a unanimity unparalleled in the history of the Government, receiving over seventy-two thousand votes, while his opponent, John Sergeant, got but about one thousand. He had immense patronage to bestow, having in addition to that originally given by the Constitution, now grown to enormous proportions, that recently created by the legislation for the public works. In commenting upon this feature of his administration, a recent political writer says: "This power was exercised with great prudence and good judgment. It might indeed be said that Governor Shulze called the best sense of the State around him. His officers everywhere were capable and honest."

This was an era when stupendous plans for the improvement of the Commonwealth were adopted and put in execution. Questioning the propriety of the State assuming to execute the functions of a corporation in opening avenues of traffic, he opposed the loan of a million of dollars which was authorized by the Legislature, but was obliged to yield to the will of the people, and before the close of his second term six millions had been borrowed.

It was soon after his first election, in 1823, that the old parties were broken up, none after that calling themselves Federalists. Indeed, the term Federalist became odious; but from its ashes there sprang a party that became more powerful than any which before or since has borne sway in this country. Every Federal newspaper in Pennsylvania, except three, the *United States Gazette*, of Philadelphia, *The Village Record*, of West Chester, and the Pittsburg *Gazette*, joined in its support. In the national election of 1824, parties being in a disorganized state, there was no choice for President by the people, Crawford, Adams, Clay, Calhoun, and Jackson being supported. John Quincy Adams was elected by the House of Representatives. But in 1828, Jackson was chosen, receiving a majority of fifty thousand in Pennsylvania, his brilliant victory at New Orleans, gained with scarcely a casualty on our side, creating immense enthusiasm among the people in his favor. In 1824, the nation's early friend and benefactor, General Lafayette, revisited the scenes of his former trials and final triumphs. Governor Shulze had the satisfaction of welcoming the hero to the soil of Pennsylvania, which he did at Morrisville in a brief but eloquent and impressive speech.

In his annual message to the Legislature, immediately succeeding the election of President Jackson, Governor Shulze expresses his views of the duties of the citizen in acquiescing in the will of the majority, and of giving the successful candidate a cordial support, in a manner worthy of the most thoughtful consideration. He says, "In the organization of our government of the Union and of the State, the simple

and efficient principle which secures our welfare and repose, is, that the will of the majority shall rule, and whenever that will is constitutionally expressed, whether it be by election or by legislation, it is the plain duty, as it must always be the pleasure, to every public functionary, cheerfully to concur. To him the laws are the laws of the people; and to him the magistrate is the magistrate of the people, by them rightfully invested with authority for their benefit, and entrusted with so much power as the Constitution confers upon the office. At seasons of elections, especially for the higher stations, there will often be great excitement, proportioned to the interest produced by the occasion, and indicative of the solicitude naturally felt in the delegation of important public trusts. It is the right of the citizen freely and actively to take his post according to the dictates of his judgment. The election over, and its result known, he who has the majority is entitled to be honored and respected as the people's choice, and to be supported in his efforts faithfully to fulfil and discharge his duties. Such a season has just passed, and furnished a new evidence of the stability and excellence of our form of government. If, in its progress, there has been more than usual warmth, it is now at an end. The question which caused it is decided. Every good citizen will acquiesce in the decision, and every public functionary, governed by the same motive which influenced him to abstain from embarking his official character in the contest, while it is going on, will find himself placed in no new position, but maintaining the relation to the high officer elected, which the Constitution creates, and ready, within his allotted sphere, cordially to coöperate with him for the common good."

None of the predecessors of Governor Shulze had come to that high office with so much scholastic culture and grace, as he. He truly appreciated the value of education; and as he looked over the broad face of the Commonwealth, and saw a vast and rapidly increasing population without adequate means of school instruction, his heart was moved, and his sympathies were aroused in their behalf. He knew the will

of the founder in this regard. He knew the provisions of the organic law; and he was unwilling to rest satisfied so long as the intentions of the founders remained unfulfilled. His messages are replete with the most urgent appeals for some legislation which should secure the privileges of elementary education to all. In that of 1827, he says: "Among the injunctions of the Constitution, there is none more interesting than that which enjoins it as a duty on the Legislature to provide for the education of the poor throughout the Commonwealth. Whether we regard it in its probable influence upon the stability of our free republican governments, or as it may contribute to social and individual happiness, it equally deserves the earnest and unremitted attention of those who are honored with the high trust of providing for the public welfare. If the culture of the understanding and the heart be entirely neglected in early life, there is great reason to fear that evil propensities will take root, while, with proper discipline, there might have been a rich harvest of usefulness and worth. A knowledge of our rights, and a sense of our duties, a just estimate of the value of the blessings we enjoy, and an habitual desire to preserve them, are the wholesome fruits of that good seed, which it is the object, and, with the favor of Providence, the effect, of moral and intellectual instruction to implant. It cannot be supplied to all in equal measure, but it is hoped that the time will come when none shall be left entirely destitute. Then will the Legislature truly be in this respect, what the framers of the Constitution desired it should be, a parent to the children of the poor; and they in return will have strong inducements to love and to honor, and to do their utmost to perpetuate the free institutions from which they derive so signal a benefit, so prolific a source of happiness."

Again, in his message of the following year he urges upon the attention of the Legislature the importance of immediate action, and adduces new and weighty considerations to enforce his views. "The mighty works," he says, "and consequent great expenditures undertaken by the State, cannot induce

me to forbear again calling attention to the subject of public education. To devise means for the establishment of a fund, and the adoption of a plan, by which the blessings of the more necessary branches of education should be conferred on every family within our borders, would be every way worthy the Legislature of Pennsylvania; an attention to this subject, at this time, would seem to be peculiarly demanded, by the increased number of children and young persons who are employed in manufactories. It would be desirable for the employers and parents, as well as children, that this matter should early engage the attention, and be early acted upon by the Legislature, inasmuch as it will be easier in the infancy of manufactories, to adopt and enforce a liberal system, than it would be to establish such a system when thousands more children shall be employed than are at this time. The establishment of such principles would not only have the happiest effects in cultivating the minds, but invigorating the physical constitutions of the young. What nobler incentive can present itself to the mind of a republican legislator, than a hope that his labor shall be rewarded by insuring to his country, a race of human beings, healthy, and of vigorous constitutions, and of minds more generally improved than fall to the lot of any considerable portion of the human family!"

At the conclusion of his second term Governor Shulze retired from public life, and engaged in agricultural pursuits. His kindness of heart induced him always to lend a listening ear to those in trouble, and his counsel was often sought by the community among whom he dwelt. In 1839 he was elected a senatorial delegate to the National Convention which assembled at Harrisburg to nominate candidates for President and Vice-President of the United States, and was chosen one of the vice-presidents on that occasion. In the following year he was a member of the Electoral College, of which he was unanimously chosen president. In 1846 he removed with his family to Lancaster, where he continued to reside until his death, which occurred on the 18th of November, 1852, in the seventy-eighth year of his age.

## GEORGE WOLF,

### GOVERNOR UNDER THE CONSTITUTION OF 1790.

*December* 15, 1829, *to December* 15, 1835.

GEORGE WOLF, the seventh Governor of Pennsylvania, was born in Allen township, Northampton County, on the 12th of August, 1777. His father was a native of Germany. He left two sons, Philip and George, who inherited the vigor, good sense, and integrity of the father. George was educated at a classical school, established in the County by a society formed for the purpose, which was presided over by Robert Andrews, A. M., a graduate of Trinity College, Dublin. He here acquired a good knowledge of the Latin and Greek languages, and of the sciences usually pursued in a liberal education. Leaving this school, he for a time had the charge of his father's farm, and also acted as principal of the academy in his native township. He soon after entered the Prothonotary's office of Northampton County as a clerk, and at the same time studied law under the direction of the Hon. John Ross.

He early espoused the political principles of Mr. Jefferson, and in 1799 advocated the election of Thomas McKean for Governor, the latter being at that time affiliated with the Republicans. When Mr. Jefferson became President, he appointed Mr. Wolf Postmaster at Easton. Afterwards Governor McKean appointed him Clerk of the Orphans' Court of Northampton County, which position he held until 1809. In 1814, he was elected a member of the lower house of the Legislature, and in the following year was a candidate for the Senate; but was defeated on account of a rupture of the party and the formation of a double ticket.





In 1824, he was elected a member of the United States House of Representatives, and was reëlected for the two succeeding terms, having no opposition in the first two elections, and being returned in the latter by a very large majority. While in Congress he acquired the reputation of a hard worker, and a conscientious, upright member. In debate he spoke like Abraham Davenport in song —

> "Wisely and well, .....
> Straight to the question, with no figures of speech
> Save the ten Arab signs, yet not without
> The shrewd dry humor natural to the man."

In committee he evinced a disposition to carefully investigate every question which came before him, willing with patient industry to familiarize himself with the details of subjects requiring his decision, rather than risk the possibility of deciding wrongfully for lack of knowledge. He was a pronounced friend to American industry, and labored and voted for those measures which would best protect and foster it, and build up the prosperity of the country.

In 1829, he was nominated as candidate for Governor, and was triumphantly elected. The following estimate of his character at this period of his life, was uttered by one who knew him well, and who in speaking his convictions but echoed the sentiments of a vast body of the people of the Commonwealth: "With George Wolf I have long been acquainted. He possesses sterling integrity, a sound judgment, and strong natural common sense. His constant intercourse with the world has made him well acquainted with human nature. I have known few, if any, better judges of the character of men than Mr. Wolf. He has received a good education, and as a lawyer is remarkable for the strength and accuracy of his judgment. His attainments are of a solid rather than a brilliant character. With these qualifications he possesses sufficient firmness to make him spurn dictation from whatever quarter it may proceed. He will himself be the Governor of the State."

He was not an aspirant for the office of Governor. He

received the nomination without knowing that any considerable strength in the nominating convention was in his favor. But when the will of the people was declared, he abandoned a lucrative practice at the Northampton court, and devoted himself unreservedly to the duties of chief magistrate. The State had embarked in gigantic schemes of public improvements designed to connect the eastern waters with the western, — traversing that formidable barrier, the Alleghany range, — and the rivers of the centre with Lake Erie and the streams from the north. When he took his seat in the gubernatorial chair, he found these works projected and in various stages of progress. An immense debt had been contracted, and before these expenditures could be made to realize anything, the sum must be doubled and quadrupled. The finances were in a deplorable condition. The revenues were entirely insufficient to meet even the interest of the debt already contracted. It was a time when the wisest were disposed to question the policy of making such vast expendi tures as would be needed to complete them, and even the friends of the works were paralyzed by the intensity of the opposition. At an extra session of the Legislature, called just before the expiration of Governor Shulze's term, an act was passed authorizing the contracting of a temporary loan of a million of dollars, at the rate of five per cent., for the relief of the most pressing needs. But the credit of the State was at so low an ebb, that capitalists were unwilling to place their money in the hands of the Commonwealth. In this emergency it became necessary to resort to a compulsory loan from the banks whose charters required them to lend to the State. It was at this period that Governor Wolf came into office. The outlook was most gloomy, and to a Governor who should have figured to himself a rule of ease and enjoyment, would have afforded little promise. There were two courses for him to pursue, either break down the system of improvements, throw away the most of what had been expended, and allow the State to languish on with paralyzed industry, or by a bold and vastly expensive policy, finish what

had been begun, even with the certainty of contracting an enormous debt for future generations to liquidate. He resolutely took the responsibility of the latter course, and he had no sooner come to the executive chair than he addressed to the Legislature, in his message, a recommendation for the vigorous prosecution of the public works, and the adoption of a system of taxation by which adequate funds would be realized for regularly paying the interest on past loans and such as in the future might be negotiated. The independent attitude assumed by the Governor had a magical effect. The caviller was silenced, and the popular will secured. The miser who had hoarded his money, when the State was in the most urgent need, no sooner saw a prospect of a bold and vigorous administration, and a will to resort to adequate taxation, than he unlocked his coffers, and became importunate to obtain State securities, even paying a premium of fifteen per cent. to get them.

But the most substantial and enduring merit of Governor Wolf was evinced in his advocacy of a system of popular education. James Buchanan, in a speech delivered at West Chester previous to the election of the Governor, had said: "If ever the passion of envy could be excused a man ambitious of true glory, he might almost be justified in envying the fame of that favored individual, whoever he may be, whom Providence intends to make the instrument in establishing Common Schools throughout this Commonwealth. His task will be arduous. He will have many difficulties to encounter, and many prejudices to overcome; but his fame will exceed even that of the great Clinton, in the same proportion that mind is superior to matter. Whilst the one has erected a frail memorial, which like everything human must decay and perish, the other will raise a monument which shall flourish in immortal youth, and endure whilst the human soul shall continue to exist. 'Ages unborn and nations yet behind' shall bless his memory." To George Wolf that honor was accorded, and to him in all time to come, when the inquirer shall seek to know by whose voice and sturdy will that great

boon was championed and finally won, will the pæans of gratitude be sung.

Former chief magistrates had called the attention of the Legislature to the importance of the measure, but each in turn had failed to accomplish any substantial benefit. It was reserved for Governor Wolf, to make its adoption the special object of his ambition and the cherished purpose of his administration. He not only advocated the measure in public and in private, but, Hercules-like, he put his shoulder to the wheel, and with his iron will yielded to no temporizing. In his message of December 8th, 1830, he says: "In bringing this subject to your notice on the present occasion, I am aware that I am repeating that which has been the theme of every inaugural address, and of every annual executive message at the opening of each successive session of the Legislature, since the adoption of the Constitution. I know too, that the necessity which has existed, and which has given occasion, for the repeated, anxious, and pressing executive recommendations, in reference to this interesting subject, arose from the extreme difficulty which presented itself at every attempt to strike out a system adapted to the existing circumstances of the Commonwealth, and which might be calculated to accomplish the end contemplated by the framers of the Constitution. But difficult as the task may be, it is not insurmountable, and I am thoroughly persuaded that there is not a single measure of all those which will engage your deliberations in the course of the session, of such intrinsic importance to the general prosperity and happiness of the people of the Commonwealth, to the cause of public virtue and of public morals, to the hopes and expectations of the rising generation to whom the future political destinies of the Republic are to be committed, or which will add so much to the sum of individual and social improvement and comfort, as a general diffusion of the means of moral and intellectual cultivation among all classes of our citizens. Nor can there be a measure presented to you, as legislators, and as the guardians of the integrity and safety of our invaluable civil

institutions, more worthy of a virtuous and determined effort to overcome every obstacle that shall present itself in opposition to the accomplishment of an achievement so truly laudable. . . . Among the principal adversaries of this measure are prejudice, avarice, ignorance, and error. The fruits of a successful conflict with these, and a victory over them, will be a consciousness of having been instrumental, by furnishing the means of a general diffusion of knowledge, in securing the stability and permanency of our Republican institutions, in adding to the sum of human intelligence, and in elevating the sentiments and confirming the virtue of the present and future generations.

"If knowledge is power, and I believe the truth of the maxim is no longer doubted, it must be conceded that a well educated people will always possess a moral and physical energy, far exceeding that to which an ignorant, illiterate people can attain. It is asserted, in a document recently published at the instance of the Pennsylvania Society for the Promotion of Public Schools, that out of four hundred thousand children in this State, between the ages of five and fifteen, more than two hundred and fifty thousand, capable of receiving instruction, were not within a school during the last year! And is it not more than probable that, if it were possible to ascertain the fact, every year that has elapsed since the adoption of the Constitution, would, upon examination, have been found to present the same deplorable result in a greater or less degree. If so, what an incalculable loss has not this Commonwealth sustained, in the talents that would have been elicited, in the ingenuity and skill that would have been imparted to labor and science, and in the moral and intellectual endowments that would have been engrafted and matured, had a judicious, well-arranged system of universal education been early adopted, and rightly enforced, as contemplated and enjoined by the framers of the Constitution. To you, fellow-citizens, as the representatives of the people, possessing, as you necessarily must, an intimate knowledge of the wants, as well as the views and wishes of your con-

stituents, in reference to this measure, and bringing with you, from every section of the State, a fund of intelligence which will be peculiarly useful in directing you to favorable results, is committed the arduous, but I trust not ungrateful task, of collecting, digesting, and arranging the details of a system of primary or common-school education, which will shed an additional lustre over the existing elevated character of the Commonwealth."

The earnestness with which the Governor pleads in behalf of his favorite measure, and the more than paternal tenderness with which he urges the claims of the rising generation, could not fail to arrest attention, and convince men of his sincerity. Better than any description or eulogium, it illustrates the character of his head and his heart. Though it had not the effect to bring about the passage of an act establishing a system, it secured the first step towards it: the levying of a tax for a school fund. He did not content himself with calling the attention of the Legislature to the subject, and adducing the most powerful arguments in its favor; but he descended to the practical details for securing the information necessary to frame a law commensurate with the exalted purpose, and well adapted to the wants to be subserved. In his message of the following year, he says: "It is cause for no ordinary measure of gratification, that the Legislature at its last session considered this subject worthy of its deliberations, and advanced one step towards the intellectual regeneration of the State by laying a foundation for raising a fund to be employed hereafter in the righteous cause of a practical general education; and it is no less gratifying to know, that public opinion is giving strong indications of having undergone a favorable change in reference to this momentous measure, and by its gradual but powerful workings, is fast dispelling the grovelling fallacies, but too long prevalent, that gold is preferable to knowledge, and that dollars and cents are of a higher estimation than learning. This powerful lever, by which the actions of men are principally regulated, is fast approaching a crisis in relation to this much agitated question, and there is reason to believe, will speedily induce legis-

lative action in reference to it: not, it is hoped, however, too speedily for maturing a well-digested system, possessing that degree of perfection by which it will be rendered generally acceptable to the people, and have a tendency to realize the ardent hopes and fond anticipations of its many warm and zealous friends. A system that would not have such a tendency, but would be received with dissatisfaction by the people, would have the unhappy effect of blasting for a time the anxious expectations of the advocates of general education, of reviving former prejudices, and of retarding for many years the progress of intellectual improvement. In order, therefore, that a system, the most perfect that can be devised, and one that will be best adapted to the views and wishes of our constituents, may be projected in the first instance, should any difficulties occur in the course of your deliberations in relation to the subject, or in regard to the most eligible plan to be adopted, I would suggest for your consideration the propriety of appointing a commission, to consist of three or more talented and intelligent individuals, known friends of a liberal and enlightened system of education, whose duty it should be to collect all the information, and possess themselves of all the facts and knowledge, that can be obtained from any quarter, having a bearing upon, or connection with, the subject of education, and to arrange and embody the same in a report to be transmitted to the Legislature at the next session for examination and final action thereon. Such a course, there is reason to believe, would tend more than any other to elicit much valuable information that could not otherwise be obtained, would facilitate the progress and final completion of this much desired work, and would not fail to secure for it a greater measure of perfection than could under other circumstances be attained."

In compliance with this judicious recommendation of the Governor, "by great industry, assiduity, and perseverance, a mass of valuable information was obtained, which unfolded a fund of knowledge in relation to the advantages, the utility, the cheapness, — in short, the decided preference which a system of common schools, of general interest, and sustained

and encouraged by the public bounty, maintained over every other plan of education of a private or partial character." Being thus provided, a bill was drawn embodying what were believed to be the best features of those systems which had been most successful in other States, and at the session of 1834 it "passed both branches of the Legislature with a unanimity," says the Governor, "rarely equalled, perhaps never surpassed, in the annals of legislation." It was a consummation for which he had long and earnestly labored, and must have been a source of gratification and a subject of gratulation through life, that his administration was graced with an event of such momentous import. There were still troubles to be encountered in putting it into successful operation, and great labors were required of his successors in preserving the principle intact. But the Rubicon was passed, the system was inaugurated, and, thanks to the labors of wise men and the care of an overruling Providence, the banner then thrown to the breeze has never been furled.

Previous to the administration of Governor Wolf, the chief magistrates had had their offices in their private residences. Visitors upon business or courtesy were exposed to the prying eyes of the public, and they were alike viewed with suspicion as desiring office, or intent upon influencing the Governor in regard to appointments. Governor Wolf established himself in the front room over the hall of the House of Representatives at the south-west corner of the capitol, where during business-hours he was always to be found intently employed in the duties of his official trust. This action of the Governor gave great satisfaction. It was said: "When the citizen is in the capitol, he is in his own house, and when he approaches the Governor's room, he is not interrupted by servants in waiting, nor has he the apprehension of intruding upon the Governor's privacy. By this act he has relieved his fellow-citizens from all disagreeable incidents and embarrassments calculated to keep the citizen at a distance from the Chief Executive officer."

Laying aside all exclusiveness and aristocratic associations, he met every man on terms of equality, and gave his personal

attention even to the details of business. This latter trait was made the subject of animadversion in the press of a neighboring State, which a contemporary thus courteously but effectively answered: "The *Philadelphia Gazette* lately adverted to the business habits of Governor Wolf, and spoke in commendation of his regular daily attendance, in his office, at particular hours, his cordial reception of those who visited him there, and the dispatch of the immediate business of his office without the agency of a clerk. Upon this the New York *Standard* bestows a sneer, saying: 'We trust the honest mechanic will lay up his wages prudently; we approve of the saving of clerk-hire as proper economy. Dr. Scudder, who can make eyes and ears as good as nature can, of the kind, intends to try his hand upon an executive machine, that shall copy papers, and sign bills, and receive wages twelve hours a day without stopping for dinner.' . . . We have been taught to look upon the diligence of a public officer in discharging the duties committed to him, as far as practicable, in person, as a trait distinguishing the republican from the aristocrat. Washington was a signal example of personal attention to public business. So was Jefferson. And the latter carried the matter so far as to transcribe with his own hand all his messages to Congress, as well those transmitted to the two Houses, as those with which he favored the presses that supported him. As Pennsylvanians and Republicans we feel no way ashamed to see Governor Wolf following such illustrious examples. He is the Governor of a State, composed of a plain, painstaking people, and could pay them no greater compliment, nor do anything more to his own credit, than by sedulously attending to the discharge of his public duties. The New Yorkers do not appear fully to appreciate the value of a maxim stamped upon the old Continental paper money — '*Mind your business!*'"

In 1832, South Carolina, by a convention of its people, passed the notorious ordinance, nullifying certain Acts of Congress imposing duties on imports. This called forth the celebrated Proclamation of President Jackson, a document unsurpassed in argumentation and warm appeal, in which

he expresses his determination to maintain the Union by all the power of the United States. The subject of the tariff had been warmly debated in Congress, and in the legislatures of the several States. In the latter bodies memorials were adopted expressive of their views upon this question, which were interchanged. These were received by the Legislature of Pennsylvania and spread upon its journals. Those from the Northern States generally defended the system, and those from the Southern complained of its injurious effects. Governor Wolf, and the party in power in Pennsylvania, warmly approved the views of the President.

The adherence of the Governor to the President and his party was not a blind one. Devotion to a popular leader could not so far blunt his sensibilities as to cause him to disregard the claims of duty and of sound policy. The arbitrary action of the President in crushing out the United States Bank did not meet his approval, and he signed the resolutions of the Assembly, instructing the Senators, and urging the Representatives in Congress, to labor for the renewal of its charter. At the succeeding session, though some of the friends of the bank had opposed his re-election, on the ground that he did not champion the cause of the opponents to the re-election of Jackson, he reiterated his views, and urged the rechartering of the bank.

The Governor was a candidate for a third term; but a division having arisen in the party by which he had been supported, and a third candidate in the person of Henry A. Muhlenberg being presented, the vote was divided, and Wolf was defeated. In the following year he was appointed by General Jackson to one of the most responsible positions in the government, that of First Comptroller of the Treasury of the United States. For two years he discharged the duties of this office most acceptably, and at the end of that period he was appointed by President Van Buren Collector of the Port of Philadelphia. On the 11th of March, 1840, he died very suddenly, while yet in the vigor of manhood, greatly lamented, in the sixty-third year of his age.



Jos. Ritner

## JOSEPH RITNER,

### GOVERNOR UNDER THE CONSTITUTION OF 1790.

*December* 15, 1835, *to January* 15, 1839.

IF to Governor Wolf belongs the honor of having inaugurated the School System, to Governor Ritner should be accorded the credit of preserving it at a crisis when in imminent danger of being overthrown. Graced with less school education than any other Governor who ever occupied the chair of state, he yet manifested a zeal in its defence unsurpassed by any, and when the fair fabric won by his predecessor with great labor and tribulation was rent and torn by ignorance and malice, and it was likely to be given up to utter destruction, Ritner bared his arm for the conflict, and came forth triumphant, winning laurels which shall never fade.

Joseph Ritner, the eighth and last Governor under the Constitution of 1790, was born in Berks County, Pennsylvania, on the 25th of March, 1780. His father was John Ritner, who emigrated from Alsace, on the Rhine. During his early years Joseph was employed upon his father's farm. The only school advantage which he ever enjoyed was during a period of six months in a primary school at the early age of six years. At the age of sixteen he removed to Cumberland County, and was employed as a laborer upon the farm of Jacob Myers, near Newville. In the year 1800, he married Susan Alter, of Cumberland County. Their offspring were six sons and three daughters. Soon after their marriage they removed to Westmoreland County, and finally became settled upon a farm belonging to the wife's uncle, David Alter, in Washington County. What was unusual for farmers of that day, the uncle possessed a good library. The books

were principally German works of a substantial character. Gifted with strong native sense, and a wonderfully retentive memory, this library proved to him a mine of wealth. Here, during his leisure hours, he delved, and what was wanting of privilege in school instruction, he, by diligence, himself supplied, affording a perpetual example to the young, of the fruits of industry and perseverance.

In 1820 Mr. Ritner was elected a member of the House of Representatives, from Washington County, and served in that capacity for a period of six years. In 1824 he was elected speaker of that body, and was re-elected in the following year. In 1829 he received the nomination for Governor in opposition to George Wolf. It was a period of much excitement respecting secret societies, and great antipathy was exhibited towards them, especially the Masonic fraternity. So strong was this feeling that a political party was built upon it, known as the Anti-Masonic, and by this party Ritner was supported. He received a handsome vote, but was defeated. In 1832 he was again put in nomination, and though again defeated, made a great gain over his former vote. He was for a third time nominated in 1835, and was elected.

At the session of the Legislature of 1834, the law for the establishment of a common-school system was passed. It met little opposition in either branch of the Legislature, being enacted with a unanimity rarely equalled upon any important question. So much had been said upon the subject, and so thoroughly had the necessities of the State been presented, that a readiness for its adoption seemed to be felt. But, unfortunately, though the field was white for the harvest, the law which with great labor and care had been prepared, proved signally unsuited to the wants of the State. If the thing were possible, it may be said to have been too perfect. It was so elaborately drawn, and the minutest particulars were so carefully provided for, that little discretion was allowed in adapting its operation to the wants of the diversified populations it was designed to affect. It was like the

machinery of certain inventors, where all the motive power is expended in overcoming the friction of the parts. The consequence was that a sudden revulsion of feeling was experienced, and at the session of 1835 the sentiment was almost universal against it. A proposition was brought forward in the Senate for its abolition, and for substituting the system of 1809 — educating the poor gratis, — which was carried with little opposition. It came up in the House, and but for the eloquent appeals of Thaddeus Stevens, would have been carried with a like unanimity there. The tide which was setting seemed likely to engulf all. "Why," said Stevens, "shall Pennsylvania now repudiate a system which is calculated to elevate her to that rank in the intellectual, which, by the blessings of Providence, she holds in the natural world? To be the keystone of the arch, the 'very first among her equals.' I am aware, sir, how difficult it is for the great mass of the people, who have never seen this system in operation, to understand its advantages. But is it not wise to let it go into full operation and learn its results from experience? Then if it proves worthless or burdensome, how easy to repeal it. . . . But we are told that this law is unpopular; that the people desire its repeal. Has it not always been so with every reform in the condition of man? Old habits and old prejudices are hard to be removed from the mind. Every new improvement which has been gradually leading man from the savage, through the civilized, up to the highly cultivated state, has required the most strenuous, and often perilous, exertions of the wise and the good. But, sir, much of its unpopularity is chargeable upon the vile arts of unprincipled demagogues. Instead of attempting to remove the honest misapprehensions of the people, they cater to their prejudices, and take advantage of them to gain low, dirty, temporary local triumphs. I do not charge this on any particular party. Unfortunately, almost the only spot on which all parties meet in union is this ground of common infamy. I have seen the present Chief Magistrate of this Commonwealth [Wolf] violently assailed as the projector and father

of this law. I am not the eulogist of that gentleman; he has been guilty of many deep political sins; but he deserves the undying gratitude of the people for the steady, untiring zeal which he has manifested in favor of common schools. I will not say that his exertions in that cause have covered all, but they have atoned for many of his errors. I trust that the people of this State will never be called on to choose between a supporter and an opposer of free schools. But, if it should come to that; if that should be made the turning-point on which we are to cast our suffrages; if the opponent of education were my most intimate personal and political friend, and the free-school candidate my most obnoxious enemy, I should deem it my duty as a patriot, at this moment of our intellectual crisis, to forget all other considerations, and I should place myself unhesitatingly and cordially in the ranks of him whose banner streams in light."

Mr. Stevens was wrought up to a great pitch of excitement while delivering this speech. He took a position in the broad middle aisle leading up to the Speaker's desk, where he had full freedom for action, and his appearance is described by one who was then a member of that body, as lit up by an enthusiasm almost more than mortal. He was the bitter political opponent of Governor Wolf, to whom he alludes in the passage quoted; and when, after passing encomiums upon the Governor's advocacy of the common-school system, that startling and majestic declaration was made, "I should place myself unhesitatingly in the ranks of HIM WHOSE BANNER STREAMS IN LIGHT," it was received with the wildest expressions of delight. The magical sentence was caught up and passed current upon every lip, and whenever this era of the school system is the subject of conversation among those who were present on that occasion, the words "whose banner streams in light" are exultingly recalled.

The vote was taken, and it was found that the friends of common schools were largely in the ascendant. It is recorded by John W. Forney, in an elaborate article published in the

*Washington Chronicle*, upon the life and character of the Great Commoner, on the occasion of his death, that "Immediately after Mr. Stevens concluded this great effort, he received a message from George Wolf, then Democratic Governor of Pennsylvania, and a leading member of the Masonic fraternity. Governor Wolf was the firm friend of popular education. Of a different and more methodical character, he did not and could not bring to the movement the attributes with which God had clothed Thaddeus Stevens; but he was earnest and sincere. When Mr. Stevens, in response to his invitation, entered the Executive Chamber, he threw his arms about his neck, and, with tearful eyes and broken voice, thanked him for the great service he had rendered to our common humanity."

Fortunately for the cause of education, the law was preserved intact. But an unwieldy system, which in its operations was constantly provoking hostility, even among the friends of common schools, was still in force. At the following session, that of 1836, the whole subject would come up for action. In the meantime Governor Ritner had succeeded to the gubernatorial chair, and had selected for Secretary of the Commonwealth, Thomas H. Burrowes, a firm friend of education, and who, as its special advocate in after years, did signal service to the State. With his countenance and aid, George Smith, M. D., who, as chairman of the joint committee of education in the two Houses, had been intrusted with the subject, drew an entirely new bill, embodying the principles of the old law, but divesting it of objectionable features. In this new form it was presented at the session of 1836, and was carried triumphantly through. It went immediately into effect and forms the basis of the excellent system at present in operation — reaching out to every nook and corner of the Commonwealth; taking by the hand the child of wretchedness and poverty equally with the most favored and pampered of fortune's easy-going offspring, and leading them to the pure fountains of knowledge; and noiselessly and unheralded scattering open-handed the richest of earthly blessings.

During the heated political canvass which preceded his

election, an editor who allowed his zeal to get the better of his discretion, knowing that he had a class of readers who would be delighted with the sentiment, published a statement that Mr. Ritner was opposed to the whole catalogue of laws for common schools, thinking thereby to gain votes for him. The moment it came to the ears of Ritner, he started at once to find the reckless editor, and after a wearisome journey came upon him amid the agents of his art, soundly berated him for his duplicity, and would not leave him until he had penned an article denying the false statement he had made, and had promised to insert it in the next issue of his paper. It was not in the nature of Joseph Ritner to allow victory to be purchased at the sacrifice of truth, even by the swerving of a hair's breadth.

Down to the close of his life he manifested a lively interest in the success of the common-school system, attending Teachers' Institutes in the County where he lived, and acting as presiding officer when upon the verge of eighty. In 1861, the Normal School at Edinboro', Erie County, was recognized and adopted by the State. Dr. Burrowes, who was then Superintendent, appointed his old friend and associate of a preceding generation, as one of the inspectors. Though then at the age of eighty-three he accepted the appointment, and made that long journey of more than five hundred miles by rail and stage, with the alacrity and pleasure of a boy of sixteen. And when he appeared upon the platform of the great hall of the Institute, in the presence of a concourse of upturned faces, it could but excite tears of gratitude, that his life had been almost miraculously lengthened out to see the day when a great institution devoted to the preparation of common-school teachers, a crowning feature of that system, should be inaugurated upon a spot which was an unbroken wilderness when the law was originally passed in his administration. The following report of his remarks on that occasion is given in the Pennsylvania School Journal of that date: "Having referred briefly to his own course in relation to the cause of education, while Governor of the Common-

wealth, he spoke somewhat at length as to his friend, the present Superintendent. The present generation could not appreciate what had been done; nor indeed, could the complete result be revealed in one or two generations. He himself had seen the inauguration of the system of free common schools, and had witnessed some of its fruits; but he could not hope to live to behold the rich harvests which he had faith to believe were yet to be reaped from it. He commended the location of the buildings, — and of the grounds so beautifully adapted, both for ornamental and useful cultivation. He could well credit Mr. Taylor's statement, that this was a few years ago a wilderness, for we could still see the stumps on every side. A very few years would see this the most attractive spot in Western Pennsylvania."

Governor Ritner always regarded his connection with the school system with singular satisfaction, and viewed the consummation of its adoption as the crowning glory of his administration. Even the progress which was made during the three years in which he occupied the chair of state was a subject of congratulation, which he thus presents in his last Annual Message to the Legislature: "The condition of the means provided by the State for general education is so flourishing, that little is required to be done by the present Legislature. Within three years the permanent State appropriation to this object has been increased from $75,000 annually to $400,000. Nor will this large outlay have been without its fruits. Instead of seven hundred and sixty-two common schools in operation at the end of the year 1835, and about seventeen academies (the latter in a state of almost doubtful existence), with no female seminaries fostered by the State, she has now five thousand common schools, thirty-eight academies, and seven female seminaries in active and permanent operation, disseminating the principles of literature, science, and virtue over the land. In addition to these, there are many schools, academies, and female seminaries of a private character, equally useful and deserving in their proper sphere."

Secretary Burrowes, *ex-officio* Superintendent of Common Schools, in his report to the Legislature at the same time that this message was delivered, pays the following just tributes: "The undersigned cannot close this report without bearing testimony to one fact alike honorable to the State and advantageous to the system. In his whole experience the blighting touch of party politics has never been detected upon it. All seem to forget their every-day differences, and to meet unitedly on this, as on a Sabbath ground of devotion to the public good. In no station of life has this right feeling been more obvious than among those in power. When the agitating divisions of the day shall have sunk into comparative insignificance, and names be only repeated in connection with some great act of public benefaction, those of GEORGE WOLF and JOSEPH RITNER will be classed by Pennsylvania among the noblest on her long list; the one for his early and manly advocacy, and the other for his well-timed and determined support of the FREE SCHOOL."

In the expression of his opinions in his messages upon national affairs, Governor Ritner was bold and outspoken, however unpalatable they might be to those whom he meant to reach. Upon the subject of slavery in any part of the National domain he uttered his condemnation in such clear and ringing tones that it arrested the attention of the philanthropist and the lover of freedom wherever it was read. His message of 1836 called forth from the Quaker poet Whittier the following spirit-stirring lyric:

Thank God for the token! — one lip is still free, —
One spirit untrammelled, — unbending one knee!
Like the oak of the mountain, deep-rooted and firm,
Erect, when the multitude bends to the storm;
When traitors to Freedom, and Honor, and God,
Are bowed at an Idol polluted with blood;
When the recreant North has forgotten her trust
And the lip of her honor is low in the dust, —
Thank God, that one arm from the shackle has broken!
Thank God, that one man as a *freeman* has spoken!

O'er thy crags, Alleghany, a blast has been blown!
Down thy tide, Susquehanna, the murmur has gone!
To the land of the South, — of the charter and chain, —
Of Liberty sweetened with slavery's pain;
Where the cant of Democracy dwells on the lips
Of the forgers of fetters, and wielders of whips!
Where "chivalric" honor means really no more
Than scourging of women and robbing the poor!
Where the Moloch of Slavery sitteth on high,
And the words which he utters, are — WORSHIP, OR DIE!

Right onward, oh, speed it! Wherever the blood
Of the wronged and the guiltless is crying to God;
Wherever a slave in his fetters is pining;
Wherever the lash of the driver is twining;
Wherever from kindred, torn rudely apart,
Comes the sorrowful wail of the broken of heart;
Wherever the shackles of tyranny bind,
In silence and darkness the God-given mind;
There, God speed it onward! — its truth will be felt, —
The bonds shall be loosened, — the iron shall melt!

And oh, will the land where the free soul of PENN
Still lingers and breathes over mountain and glen, —
Will the land where a BENEZET'S spirit went forth
To the peeled, and the meted and outcast of Earth, —
Where the words of the Charter of Liberty first
From the soul of the sage and the patriot burst, —
Where first for the wronged and the weak of their kind
The Christian and statesman their efforts combined, —
Will that land of the free and the good wear a chain?
Will the call to the rescue of Freedom be vain?

No, RITNER! — her "Friends" at thy warning shall stand
Erect for the truth, like their ancestral band;
Forgetting the feuds and the strife of past time,
Counting coldness injustice, and silence a crime;
Turning back from the cavils of creeds, to unite
Once again for the poor in defence of the right;
Breasting calmly, but firmly, the full tide of wrong,
Overwhelmed but not borne on its surges along;
Unappalled by the danger, the shame, and the pain,
And counting each trial for truth as their gain!

And that bold-hearted yeomanry, honest and true,
Who, haters of fraud, give to labor its due;

Whose fathers of old, sang in concert with thine,
On the banks of Swatara, the songs of the Rhine,—
The German-born pilgrims, who first dared to brave
The scorn of the proud in the cause of the slave:—
Will the sons of such men yield the lords of the South
One brow for the brand, — for the padlock one mouth?
They cater to tyrants? — They rivet the chain,
Which their fathers smote off, on the negro again?

No, never! — one voice, like the sound in the cloud,
When the roar of the storm waxes loud and more loud,
Wherever the foot of the freeman hath pressed
From the Delaware's marge, to the Lake of the West,
On the South-going breezes shall deepen and grow,
Till the land it sweeps over shall tremble below!
The voice of a PEOPLE, — uprisen, — awake, —
Pennsylvania's watchword, with Freedom at stake,
Thrilling up from each valley, flung down from each height,
"OUR COUNTRY AND LIBERTY! — GOD FOR THE RIGHT!"

Governor Ritner received the nomination in 1838, for re-election by the Anti-Masonic party; but was defeated by only about five thousand votes. The canvass was unusually spirited, and the election was contested with a resolution rarely witnessed. The Masons as an organization were of course pitted against Ritner, for he was leading a party bent on their humiliation. He was opposed by the Democrats, for they had been kept for a period of three years from power, and they were eager again to possess it. There was also an opposition to him from outside the State which made itself felt. Whether it originated from his outspoken opposition to slavery which the poem of Whittier had heralded to the world, it is not necessary now to inquire. Certain it was that the fight against him was well organized, conducted with a strong hand, and was successful.

The official returns made to the Secretary's office, gave the State to Porter. It was charged by the friends of Ritner that there was fraudulent voting and fraudulent returns. Thomas H. Burrowes, the Secretary of State, who was also Chairman of the State Executive Committee of the Anti-Masonic party, issued an address in behalf of the Committee

to the friends of the defeated candidate, in which he said: "The opponent of our candidate for the office of Governor appears to be elected by at least five thousand majority. This is an event to which, if it had been fairly produced, we, as good citizens, would quietly, if not cheerfully submit. But there is such a strong probability of malpractice and fraud in the whole transaction, that it is our duty peacefully to resist it and fully to expose it." After making a full statement of the reasons which led to the belief that fraud had been largely practised, he concludes: "Can there be any safety under republican institutions if such high-handed oppression be tolerated? No! We owe it to ourselves as freemen and good citizens to examine into this matter, and if fraud be detected to expose and resist it. We owe it to our country and to posterity. . . . *Now* is the time to make the examination, while the facts are fresh and the outrage recent. Let it be done then peacefully, determinedly and thoroughly. But let it be commenced with an honest resolution to submit to the result, whether it be favorable or unfavorable to our wishes. This is the duty of all who contend for equal rights and the supremacy of the laws. But, fellow-citizens, until this investigation be fully made and fairly determined, let us treat the election of the 9th inst. as if we had not been defeated, and in that attitude abide the result."

This exceedingly well written address seemed in the main to be very fair and just; but the startling declaration contained in the concluding sentence created intense excitement in the ranks of the opposing party, and to "treat the election as if we had not been defeated" became their rallying cry. It was a direct proclamation that the returns were not to be accepted until an investigation should prove them valid. The address was ill-advised and ill-timed. For the executive committee of a party had no legal authority to make an investigation; and if an investigation was to have been made, no declaration of the fact should have been uttered until the constituted authorities were ready to proceed with it. The returns bore on their face the evidence of regularity, and

those returns should have been accepted as veracious until proven false at a competent tribunal. It was perceived that on the political complexion of the Legislature would hang the question of investigation, and to secure the control of the two Houses was a primary object with both parties.

A majority of the Senate had been elected as anti-Masonic, but the control of the House depended upon the votes of certain members from Philadelphia, whose seats were contested. It appears that when the return-judges from Philadelphia County met, it was proposed to throw out the votes of the Northern Liberties entirely on account of alleged frauds. If these were counted the anti-Masonic delegation to Congress, and to both branches of the Legislature, would be elected. If they were rejected, the Democratic delegation would be elected. The majority of the return-judges were Democrats and the votes of that precinct were thrown out. Whereupon the anti-Masonic members of the Board withdrew, and both parties made out returns, each for a different delegation, and sent them to the Secretary of the Commonwealth. Technically, the returns of the Democrats were correct, and should have been received in the first instance without question.

When the Legislature met in December, the Senate promptly organized by the choice of anti-Masonic officers. But in the House a fierce struggle ensued, both delegations from Philadelphia claiming seats. The consequence was, that each party went into an election for speaker, each appointing tellers. Two speakers were elected and took their seats upon the platform; Thomas S. Cunningham being the choice of the anti-Masons, and William Hopkins of the Democrats. Technically, the Democrats supposed they were in the right, leaving out of view the rightfulness or wrongfulness of rejecting the votes of the Northern Liberties. But when the returns from the Secretary's office were opened, it was found that the certificate of the minority of the election Board from Philadelphia had been sent in, thus giving the advantage of technical right to the anti-Masonic party. It was a question now, which of these two Houses would be recognized by the Senate and the Governor.

At this stage of the contest a new element came into the arena. A daring lobby, collected from Philadelphia and neighboring cities, appeared in the capitol, and when the Senate, after duly organizing, attempted to proceed to business, interrupted the course of legislation and threatened the lives of its members. Proceedings in the other branch of the Legislature were in like manner disturbed, and finally, both houses being compelled to disperse by this lawless demonstration, the crowd took possession of the chambers, the leaders indulging in noisy harangues. From the capitol, the lobby proceeded to the Court-House, where impassioned speeches were made and a "Committee of Safety" was appointed. So determined a front did this body present that for several days the Senate was prevented from meeting, and when one of the parties of the House attempted to assemble, the person who had been deputed to act as speaker was violently ejected from the hall. All business was at an end, and the Executive and State Departments were closed.

Seeing no other alternative, and as was his plain duty to do, Governor Ritner promptly ordered out the militia; and lest this should be insufficient, — for the lobby was constantly receiving accessions of strength, — he called on the United States authorities for help. The militia under Major-Generals Patterson and Alexander came promptly in response; but the United States authorities refused to send troops, though the storekeeper at the Frankford arsenal in Philadelphia turned over an ample supply of fixed ammunition for all arms, and an especially liberal supply of ball and BUCKSHOT cartridges, though, as it subsequently appeared, the ammunition was delivered without orders from the War Department. Seeing troops arrive at the call of the Governor, the lobby made preparations to resist them, and were by their leaders drilled in military evolutions. By the efforts of the militia authorities, order was, however, restored, and the two Houses of the Legislature were again permitted to meet. A majority of the Senate finally voted to recognize the section of the House presided over by Mr. Hopkins, which virtually ended the con-

test, the other branch of the House returning to their places, and the Governor elect being inaugurated at the proper time without opposition.

For several days during this contest the danger of a collision was imminent, and it seemed impossible to avert bloodshed. Great interest was felt in the result of the struggle throughout the entire Union, and especially by the national administration. It was even viewed with serious apprehensions in Europe. Lewis Cass, who was at the time Minister to France, relates a conversation which he had with Louis Philippe, in which that monarch, mindful of similar complications in Paris, expressed the belief that Pennsylvania would become the scene of a protracted and bloody partisan or revolutionary conflict. Fortunately, wiser counsels prevailed, and what seemed on the point of being left to the arbitrament of the sword, was finally settled by an appeal to reason.

At the expiration of his term of office Governor Ritner returned to private life, taking up his residence near Mount Rock, in the County of Cumberland. Possessed of a strong constitution and a powerful frame, he rarely complained of sickness, his system seeming to be proof against the ordinary inroads of disease. In 1840, however, he was attacked by cataract in both eyes, from the effect of which he was for some time entirely blind. By an operation performed upon the right eye, sight was completely restored so that he was able to read with ease the finest print. So painful was the operation that no consideration could induce him to submit to one upon the left, and that remained sightless to the day of his death.

He continued to take a lively interest in politics, and rarely failed to deposit his vote in the ballot-box in every important election. In 1848, he was nominated by President Taylor, Director of the Mint at Philadelphia, in which capacity he served for a short time; but before his nomination was acted on by the Senate, President Taylor died, and he retired, to make room for the favorites of President Fillmore. He was a delegate from Pennsylvania to the National Convention

which nominated John C. Fremont for President, and to the close of his life continued an active and ardent Republican.

Governor Ritner was endowed with a mind of great native strength. The faculty of memory was almost miraculous, for he seemed never to forget a name, an event, a date, or a fact. The impressions of his early and active life were retained with remarkable clearness, and he could recall occurrences in his official life, and repeat debates with surprising accuracy. He was remarkably temperate in all his habits, never using in any form tobacco or spirituous liquors. He was a man of strong convictions, and his opinions when once formed were rarely changed. His conscientiousness naturally inclined him to caution, and every subject requiring his decision received mature deliberation. He fortunately lived long enough to see many of the cardinal principles which he had advocated become the fundamental law of the land, and time, which "at last sets all things even," vindicated the soundness of his judgment. He died on the 16th day of October, 1869, in the ninetieth year of his age. His life was prolonged beyond that of any other Governor of Pennsylvania, though associated in this office with men wonderfully long-lived.

# PART V.

## GOVERNORS UNDER THE CONSTITUTION OF 1838.



David R. Porter

## DAVID RITTENHOUSE PORTER,

GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 15, 1839, *to January* 21, 1845.

DAVID RITTENHOUSE PORTER was born near Norristown, Montgomery County, Pa., on the 31st of October, 1788. His grandfather, Robert Porter, emigrated, early in the last century, from the north of Ireland. The farm where he lived is situated about nine miles north-west of Londonderry, near the sea-coast. The land, together with several adjoining farms, is yet owned, after the lapse of more than a century and a half, by those of his own name and blood. One of their number, the Rev. J. L. Porter, D. D., LL. D., Professor of Sacred Literature in the College at Belfast, has attained a high position as a preacher, an author, and a man of letters, especially in the Department of Oriental Literature. Andrew Porter, the father of David R., was born at the homestead in Montgomery County, in 1743, and attained distinction as a Revolutionary soldier. In boyhood he manifested much fondness for mathematics, and early attracted the notice of that profound scholar Dr. David Rittenhouse, under whose advice he opened an English and mathematical school in Philadelphia. The Institution had attained a widespread reputation for excellence when the Revolutionary War broke out, and its principal, obedient to the calls of patriotism, laid aside the robes of the master for the garb of the soldier. He was at first commissioned a Captain of Marines, but at his own request was soon afterwards transferred to the artillery. He subsequently became Colonel of the Fourth Regiment of Artillery, and was engaged in the battles of Trenton, Princeton, Brandywine, and Germantown. At Ger-

mantown nearly his entire command was cut down at his side. He received on the field the thanks of Washington for his soldierly conduct at Princeton; and when Lafayette was wounded at Brandywine, Captain Porter was near him. At the special request of Washington, though reluctant to be withdrawn from active service, he was sent to Philadelphia to prepare the material for the siege of Yorktown. At the conclusion of the war he was offered the chair of Mathematics in the University of Pennsylvania, but declined it, humorously remarking to the committee who called on him, that, having so long commanded men, he could not go back to flogging boys. From 1784 to 1787, he was engaged by appointment of the Supreme Executive Council of the State, in conjunction with Dr. Rittenhouse, Dr. Ewing, Mr. Madison, and others, in determining the lines between Pennsylvania and the States of Virginia, Ohio, and New York. Some of the most difficult parts of this useful work were performed by him. In 1809, he was appointed, by Governor Snyder, Surveyor-General, an office which he held up to the day of his death in 1813, having in the meantime declined two appointments tendered him by President Madison, that of Brigadier General in the Army, and that of Secretary of War.

Several of the sons of Andrew Porter attained to eminence. Robert served in the Revolutionary War, practised law in Philadelphia, and became President Judge of the Berks, Lehigh, and Northampton District. William and Andrew, twin-brothers, became reputable merchants, one in Baltimore, and the other in New Orleans. John E. was a brilliant advocate, but resigned the law for medicine, which he practised with much success in North Carolina. George B. was a graduate of the Law School at Litchfield, and became the rival of James Buchanan and Judge Moulton C. Rogers at the Lancaster Bar. He was appointed by General Jackson Governor of the Territory of Michigan. James M. settled at Easton, and became an eminent lawyer; was a member of the Constitutional Convention of 1838, over which he presided during a part of its sittings, became

President Judge of the Dauphin, Lebanon, and Schuylkill District, was Secretary of War under President Tyler, and was subsequently elected President Judge of the Wayne, Pike, Monroe, and Carbon District.

The subject of this sketch, David R., received his early training at an academy in Norristown, where the branches of a good English education, mathematics, and the elementary classical studies were successfully taught. With his brothers George and James, he was here pursuing a course preparatory to entering Princeton College, when the buildings of that institution were destroyed by fire, and the purpose of a collegiate course was abandoned. When the father was appointed Surveyor-General, he took his son David with him to the seat of government as his assistant. He was accompanied by a young man from the same neighborhood, who likewise became Governor of the State, Francis R. Shunk. While thus employed, the son also studied law, with the intention of entering upon its practice at Harrisburg; but the labor and confinement of these double duties were too severe, and his health was so much impaired, as was thought, to preclude the possibility of his pursuing any sedentary employment. He decided, therefore, to seek more active occupation, and removed to the county of Huntingdon, where he engaged in the manufacture of iron.

The Messrs. Dorsey then owned that magnificent estate known as the Barree Forges, which yet remains in possession of their descendants, and has continued for nearly three-quarters of a century to be the seat of a large and generous hospitality. Mr. Porter was first employed by them for a year as a clerk, and during the following year was made manager of their works. Having thus acquired an acquaintance with the business, he embarked in it on his own account, in partnership with Edward Patton, on Spruce Creek; but so great was the depression into which all branches of manufactures fell for some years succeeding the war of 1812, that their enterprise was not successful. He continued, however, through life to take a deep interest in all that related to

the business, and, at the period of his death, it is doubtful whether any man in the State so thoroughly and practically understood the subject of ores, the location of their deposit, the mode of combining them, and the species of fuel best adapted to reducing them, as did he.

He was, in 1819, elected a member of the Assembly from Huntingdon County, and was returned for the following year, having as a colleague John Scott, father of the present Senator of the United States. He here formed the acquaintance of some of the most eminent citizens of the Commonwealth, many of whom remained his warm personal friends through life.

On retiring from the Legislature, he was appointed by the Governor Prothonotary and Clerk of the several courts of Huntingdon County, and to these were afterwards added the offices of Recorder of Deeds and Register of Wills. There was then little business in these offices, and the pecuniary returns were meagre. He had in 1820 married Josephine, daughter of William McDermott, who had emigrated from Scotland for the purpose of manufacturing steel by a new process, and who was one of the pioneers in that art. Mrs. Porter for a few years acted as her husband's clerk, recording deeds and wills at home, while he transacted the business in public, and large volumes in her handwriting continue to be shown to strangers and visitors to the town, written so clearly and beautifully, and with such perfect accuracy, as to excite admiration.

During his residence in Huntingdon, Mr. Porter devoted much of his time to the public interests. He gave some attention to agriculture, and distributed among the farming classes such information as the best writers furnished. He introduced among his neighbors, without profit to himself, the once famous Durham cattle. From New York, Virginia, and Michigan, he brought the best horses which those States produced. His chief efforts, however, were directed to the public improvements of the State. Having carefully studied the plans which Governor Clinton had proposed for New York,

his pen was often employed in calling the attention of the people to the importance of executing similar works in Pennsylvania, in order to develop and carry to market its vast resources and preserve its relative importance in the Union.

In 1836 he was elected a member of the State Senate, from the district then composed of the counties of Huntingdon, Mifflin, Juniata, Perry, and Union. The soundness of his judgment and the readiness of his understanding made him an acknowledged leader. Few subjects were broached on which he did not either report or speak. Legislation upon the subject of the public works bore largely the impress of his views. As a writer he was concise, forcible, and even elegant, and as a speaker, he was clear, pointed, and eminently practical. His speeches were usually very brief, and in defence of this habit he was accustomed to plead the practice of Jefferson and Franklin. His advice to young lawyers and debaters was especially to study brevity. In this respect, he differed widely from his brothers, Governor Porter of Michigan, and Judge Porter of Easton, both of whom were more diffuse, and, it must be added, acquired higher reputations for forensic ability.

In 1838, Mr. Porter was elected Governor of Pennsylvania, and in 1841 was re-elected by a majority almost four times as great as that given at his first election. His inauguration as Governor occurred on the 15th of January, 1839. The opening paragraphs of his inaugural address present in an admirable manner the views by which he proposed to be guided, and the changed relations that the Executive was made to hold by the new Constitution then about to go into effect. "Deeply impressed," he says, "with a sense of gratitude to my fellow-citizens, for the distinguished mark of confidence reposed in me, I enter upon the arduous and responsible duties of Governor of Pennsylvania, with a full determination, according to the abilities given me, to do my duty faithfully.

"A compliance with custom would seem to require of me, when assuming the duties of the Executive, in pursuance of

the choice of the people, to lay before them some of the leading principles upon which the administration of the Government will be conducted. I do this the more willingly, because, in a republic, the intercourse between the people and their public functionaries should be candid, frank, and unreserved.

"Educated with the highest veneration and greatest affection for the men and principles of the American Revolution, it will always give me pleasure to refer to the one as examples, and to the other as guides in the performance of duty. Admitting to its fullest extent the importance of preserving unsullied the inestimable and inalienable right of the people to govern themselves, I shall ever give my best efforts to prevent encroachments upon that right. So long as man continues the being he is, error must be expected both in his individual and collective conduct. He may be expected to err upon sudden impulses; but an intelligent community will rarely fall deliberately into error. Hence the deliberate expression of the people's will should always furnish the rule of conduct to those who represent them in public stations.

"A new era has arrived in our Commonwealth. Our first Constitution, formed amidst the storms and troubles of the revolutionary conflict, was found in practice not to answer the expectations under which it was framed. In fourteen years thereafter it was entirely new modelled by the Constitution of 1790, an instrument framed by men of great talents and eminent worth; but the plan of government was always considered by no small portion of the people as not sufficiently democratic in its details. After repeated attempts to procure revision, a majority of our citizens who voted on the question, in 1835, decided that a convention should be called, to revise, alter and amend the Constitution of the Commonwealth. In pursuance of this determination of the people, a convention assembled, and after a long and arduous session, closed their labors on the 22d of February last, and the amendments agreed upon by that body have been ratified and adopted by the people. It is under this amended Constitu-

tion that it has been my lot to be called upon to administer the duties of the Executive. This instrument gives to popular suffrage the decision of many appointments heretofore vested in the Executive, and changes the duration of the judicial tenure from that of good behavior to a term of years. It shortens the period of eligibility to the Executive chair, and reduces the senatorial term; enlarges the right of suffrage, and changes other provisions, all of which are important in the conduct of the government of the State. Approving as I did of the amendments in the aggregate, and having sanctioned them by my vote at the late election, it will afford me great pleasure to assist in carrying them out in practice by a strict adherence to their principles."

The subject of State interest, which at this period overshadowed every other, was the prosecution of the public works. Vast sums had been expended, and strong anxiety was felt to have the main lines completed at the earliest practicable moment. A considerable part of his first Annual Message to the Legislature was devoted to this subject. The concluding sentiments of that paper, considering the period at which they were written, are remarkable, and illustrate the comprehensiveness of his views. "I cannot," he says, "close this brief reference to our system of public improvements without inviting the attention of the Legislature to two subjects, which, though not immediately connected with the leading object of this communication, are yet so essentially necessary to the full fruition of the benefits to be derived from our main lines of canals and railroads between the eastern and western sections of the Commonwealth, as to awaken the earnest solicitude of every true Pennsylvanian. I allude to the removal of the obstructions to steamboat navigation in the Alleghany, Ohio, and Mississippi rivers from Pittsburg to the Gulf of Mexico, and from Pittsburg up the Alleghany as far as the same may be found practicable by the survey authorized under direction of the general Government, *and to the construction of a continuous railroad from the city of Pittsburg through or near the capitals of Ohio, Indiana,*

*and Illinois to some point on the Mississippi River at or near St. Louis.*"

The sentiment of the words in italics was made, at the time of its delivery, the subject of wide-spread comment and no little ridicule; but the writer of it lived long enough to be able to travel in a railroad-car, without change, from the seaboard to the banks of the Mississippi.

The messages and other public documents of Governor Porter were generally written by an amanuensis. His habit was to pronounce the words aloud, slowly and deliberately, as he paced his apartment, and when thus taken down, they were ready for the press with scarcely a correction.

One of his apprehensions in regard to the working of our State Constitution arose from the frequent encroachments made by the Legislative power on the other branches of the Government. The Judiciary has frequently experienced this in Acts of Assembly granting new trials, or giving a construction to written documents, or changing the effect of liens of record; and there are few better specimens of judicial writing than that in which it was rebuked in the case of De Chastellux *vs.* Fairchild.* Governor Porter resisted with a firm hand the encroachments made on his own prerogatives, and the reader will not go far for evidence of this in turning over the pages of any of the Legislative journals from 1839 to 1845. As an example, the following reply to the Senate, which had made an inquiry into his motives for certain official conduct, may be adduced:

"In reply to your resolution of the 6th instant, I have to inform the Senate, that, in compliance with the 'resolution to suspend the work on the Gettysburg Railroad,' prompt measures were taken to ascertain 'the whole amount of claims on the line, on estimates, or for retained percentage; also for salaries of officers and agents, for labor, or for any other purpose;' and that during the present week the reports of the officers charged with that duty have been received.

* 3 Harris's Reports, page 18.

"These are all the material facts touching the subject of your inquiry, which it is within the power of the Executive to communicate to the Senate. They fully answer the call made on me by the resolution, unless in requiring me to state 'why the delay in procuring the money and paying the contractors has taken place,' the Senate intended to require me to communicate the reasons or motives by which I have been governed in relation to this business. If such was the design of the Senate, I must decline to comply with its requisition. Being an independent and co-ordinate branch of the Government, I do not recognize its right to make such a demand, and also because the time and manner of advertising for, and procuring loans are duties belonging exclusively to the Executive, in which the two Houses of the Legislature have neither responsibility nor share. Claiming to understand and respect the rights of the Senate, I shall studiously avoid any infringement upon them; and claiming also to understand the rights and duties of the Executive, under the Constitution, I shall take especial care that they shall not be invaded, and will maintain them to the utmost of my abilities. Independence and harmony of action only can be preserved by strictly observing the rights of all departments of the Government. This course I shall pursue, at all times, without deviation."

The courage, energy, and strong will thus displayed gave great vigor to his administration, and compelled respect even from his opponents. In his appointment of judges, then one of the most responsible duties of the Executive, he exhibited much discrimination, as the reader will discover, who reflects on the names of Burnside, Rogers, King, Bell, Lewis, Thompson, Black, Woodward, Campbell, Conyngham, Parsons, Eldred, Church, and others,— many of whom were little known to the public when they received commissions at his hands, and some of whom have since exerted strong influence in our national affairs.

Governor Porter took much interest in the success of the system of Common Schools, then in its infancy, and having

appointed Francis R. Shunk superintendent, devoted with him much time in resolving the numerous and difficult questions which then came up from the County officers for decision.

His efforts to sustain the credit of the State and to secure the payment of interest on the public debt drew upon him national attention, and were frequently noticed in Europe, where many of the obligations of the State were held. By his recommendation the Act of 1840 was passed, requiring the interest on the State debt to be paid in specie or its equivalent. One of his last acts, as Governor, was the suppression of the riots which occurred in Philadelphia in 1844, and the courage and decision displayed on his taking command of the military in person were generally commended and long remembered by men of all parties. Both branches of the City Council, then opposed to his administration, honored him with an expression of their thanks, and a resolution unanimously passed by those bodies was presented to him in person, accompanied with an address by the Mayor of the City.

Having completed, in 1845, the longest term as Governor allowed by the new Constitution, he retired from public life, and returned to his favorite pursuit of making iron. The adaptation of anthracite coal to the manufacture of this metal was then almost unknown, and having given much reflection to the subject, and made many practical experiments, he erected at Harrisburg, at a large cost, the first anthracite furnace built in that portion of the State. The experiment was successful, and it was followed by numerous others in various sections, much to the profit of their owners and to the advantage of the public revenues. He took pleasure in conducting the affairs of this establishment, and in advancing the art, by explaining and illustrating to visitors the improvements which he had introduced.

Few men ever had more ardent friends or returned their friendship with more cordial warmth than did David R. Porter. It was a common remark that he had never turned his back on a friend or forgotten him in a difficulty. With

those whom he distrusted, he maintained no intercourse whatever, and this sometimes obtained for him the character of a resentful man; but the truth was far otherwise, for no man ever possessed a more forgiving temper; and though his abhorrence of insincerity frequently tinged his manner with reserve and coldness, thousands of men in all parts of the State had sounded the depths of his large and generous heart and knew well its warm attachments and generous sympathies. The greatest errors of his life were lending pecuniary credit to those who had been unfortunate, and in being influenced by the tear of sorrow to pardon some offender against the law, whom other men would have sternly punished.

In the ordinary intercourse of life, his manner was calm and self-possessed, and his words were notably few; but his conversation was frequently pervaded by a quiet humor which made it attractive, especially to the young. His remarks were so pointed, his memory so clear, and his information so accurate and comprehensive, as to make his conversation especially instructive on many topics least treated in books: such as the courses of streams and mountain chains, and the nature of mineral deposits; the progress of legislation, the changes of political parties, and the characteristics of the different races by whom the country was settled. Respecting the history of the constitutions, both State and National, he was profoundly informed. There was scarcely a clause in any of those instruments which he had not thoroughly investigated with the eye both of a lawyer and a man of business. For this reason he was much consulted on important State legislation even after his retirement to private life.

He was for many years the friend of the late President Buchanan, and the correspondence which they maintained for a long period shows how frequently that statesman consulted him on questions of national interest, and how greatly he relied upon his judgment.

There was another public man with whom his intimacy was even closer, — Gen. Sam. Houston of Texas, whose career as a military commander, an executive officer, and effective ora-

tor, is yet fresh in the public recollection. It appears to have commenced on the election of General Houston to the Senate of the United States, and to have grown stronger as age advanced, until death cut it short. On going to, or returning from Washington, the General frequently spent a few days with his friend at Harrisburg, and for a long period scarcely a week elapsed without a letter passing between them. When Gen. Houston was nominated as an independent candidate for Governor of Texas, Mr. Porter strongly urged him to accept the nomination, for the purpose of strengthening the hands of the Union men of the South, and, in opposition to the belief of most persons, predicted his election. The prediction was realized and the aged hero stood manfully by his patriotic principles as a friend of the Union until overpowered by a rebel legislature and driven from office. On his election as Governor, Gen. Houston invited Mr. Porter to visit him in Texas, that he might have the advantage of the practical knowledge and judgment of the latter respecting the most favorable route for a railroad through Texas to the Pacific coast, the Texas route being regarded by both as the best for the great national thoroughfare. The invitation was accepted, and several months were spent determining the most feasible direction for locating it, and in organizing a company for its construction. These efforts, it is believed, would have been successful had they not been brought to a sudden termination in the fall of 1860, by the secession of the Southern States.

Mr. Porter returned to his home in Harrisburg, and contributed his influence to sustain the Government in the fierce conflict which had commenced. He scouted the doctrine of secession, and maintained, as he had long done, in its fullest extent, the maxim of Jackson, "The Union must and shall be preserved." To encourage others, he shouldered his musket at the age of more than seventy years, and with the young men of the town joined in military drill. He rejoiced greatly over the success of the Union arms, and was much gratified that one of his sons, General Horace Porter, had borne an

honorable part in many battles. When, however, the course of the national administration failed to meet his approval, he was decided in expressing his condemnation, and in maintaining that the South must be brought back to a whole Constitution and not to a broken one — a distinction likely to be misunderstood, in a time of popular excitement, but to the danger of being so misunderstood he was entirely indifferent.

During the winter of 1867, while attending at night a meeting of his church, he contracted a severe cold. While others regarded the attack as light, he believed that it would prove fatal, and began to prepare for the approaching change. During the succeeding summer he was able to walk out, but in the beginning of August his strength declined. With great composure and even cheerfulness, he arranged several matters of business and conversed calmly of his approaching end. On being asked how he felt on the near prospect of death, he said: "I have obtained perfect peace. I am not conscious of a doubt or a fear." On the 6th of August, surrounded by several children and a devoted wife, his hands having been folded on his breast, he thanked those about him for their kindness and dutifulness, and composed himself as if to fall asleep. As one and another passage of Scripture was repeated, he expressed his assent, until the pulse became still, and the aged heart ceased to beat. He had passed away as gently as a child falls to sleep in its mother's arms. The public business was, at the request of the Governor of the Commonwealth, generally suspended. Large numbers of citizens came from every section of the State to pay to his memory the last sad tribute of their respect. His remains were deposited in the beautiful cemetery which lies within sight of the scenes of his most useful labors, where a simple monument truthfully records that he was a man of large influence for many years in the affairs of his native State.

## FRANCIS RAWN SHUNK.*

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 21, 1845, *to July* 9, 1848.

FRANCIS RAWN SHUNK was of German descent. He was born at the Trappe, a village in Montgomery County, Pennsylvania, August 7th, 1788. His father, John, was the son of Francis Shunk, who emigrated from the Palatinate of the Rhine, in Germany, about the year 1715. His mother, Elizabeth Rawn, was the daughter of Casper and Barbara Rawn, the former of whom also emigrated from the Palatinate. The memory of this couple is still held in the highest veneration by all who were acquainted with them. They were examples of those excellent virtues, and that devoted piety, which elevate our nature, and invest with dignity the humblest conditions of life.

The mother of Governor Shunk was a woman distinguished for her kindness and affection, and for her devotion to the happiness of her children. He often spoke of her in terms of the most devoted attachment, and cherished her memory with filial piety to the last hour of his life. There can be no doubt but that her influence was greatly felt in the formation of his early character, and its subsequent development. His father was a man of strong and stern mind, yet naturally facetious and fond of indulging in this propensity.

His parents were not able to furnish the means, or spare his time to secure, in the ordinary way, even the rudiments of an education. Much of his childhood and youth was

* This account of the Life and Character of Governor Shunk has been abridged from a Discourse delivered upon the occasion of his death by his friend and neighbor, Rev. William R. De Witt, D. D.



Gen. R. Shurtz.

devoted to manual labor. When not more than ten or twelve years of age, he was employed by the neighboring farmers to aid them in their agricultural pursuits. He has been heard to say, that, among the sweetest hours of his existence were those, when returning from the toils of the week to the home of his childhood, he was permitted to repose his aching head on the lap of his mother, and listen to the soothing accents of her voice, consoling him under his trials, and encouraging his hopes for the future. Notwithstanding his want of facilities for securing an education, his untiring industry, combined with his earnest desire for self-improvement, enabled him to make such advances in learning, that at the early age of fifteen he became a teacher, and soon after the instructor of the school at the village where he was born. From that time until 1812, he seems to have been employed as a teacher during the few months of the year the school was continued, and the rest of the time as a laborer in the pursuits of agriculture. The intervals of toil were devoted to the improvement of his mind in every useful branch of study. In 1812 he was selected by Andrew Porter, then Surveyor-General under the administration of Governor Snyder, to fill a clerkship in his department. While thus employed, he commenced and prosecuted the study of the law with Thomas Elder, Esq., of Harrisburg. In 1814 he marched as a private, with many of his fellow-townsmen, to the defence of Baltimore. Soon after, he was chosen, first an assistant, and then the principal clerk of the House of Representatives, and for many years performed, with great fidelity, the arduous duties of that office. He was subsequently elected secretary of the Board of Canal Commissioners, and served in that capacity during a period when the condition of our public improvements called for the most constant and strenuous efforts on the part of the commissioners, and rendered the situation of their secretary anything but a sinecure. In 1838 he was chosen by Governor Porter Secretary of State. On retiring from that office, he removed to Pittsburg, and engaged in the practice of the law. In 1844 he was called from his retirement by the

voice of the people of the Commonwealth, to fill the highest office in their gift. He so conducted his administration, as their chief executive, that he received from them the highest expression of their confidence and regard, by being re-elected with an increased majority, and that too against an opposing candidate of the most estimable character, whose exalted virtues and worth were acknowledged by all.

But he had scarcely entered upon the duties of his second term before he became the victim of a disease which in its early progress excited apprehensions in the minds of his friends that it might prove fatal. The Governor himself, though conscious that his disease was deep-seated, yet seemed to cherish, with confidence, the hope that the vigor of his constitution, and the skill of his physician, would eventually restore him to health. It was not until the morning of the 9th of July, when a severe and copious hemorrhage from the lungs took place, that he gave up entirely the hope of life, and felt that his days were indeed numbered. Upon that day, being Sunday, he wrote the following letter of resignation — the last public act of his life:

To the People of Pennsylvania:

It having pleased Divine Providence to deprive me of the strength necessary to the further discharge of the duties of your Chief Magistrate, and to lay me on a bed of sickness, from which I am admonished by my physicians, and my own increasing debility, I may, in all human probability, never rise, I have resolved, upon mature reflection, under a conviction of duty, on this day, to restore to you the trust with which your suffrages have clothed me, in order that you may avail yourselves of the provision of the Constitution to choose a successor at the next general election. I, therefore, hereby resign the office of Governor of the Commonwealth of Pennsylvania, and direct this, my resignation, to be filed in the office of the Secretary of the Commonwealth.

In taking leave of you under circumstances so solemn, accept my gratitude for the confidence you have reposed in me.

My prayer is, that peace, virtue, intelligence, and religion, may pervade all your borders — that the free institutions you have inherited from your ancestors may remain unimpaired till the latest posterity — that the same kind Providence, which has already so signally blessed you, may conduct you to a still higher state of individual and social happiness — and when the world shall close upon you, as I feel it is soon about to close upon me, that you may enjoy the consolations of the Christian's faith, and be gathered, without a wanderer lost, into the fold of the Great Shepherd above.

FRS. R. SHUNK.

HARRISBURG, *July* 9, 1848.

Governor Shunk was emphatically a self-made man. His early life was one of privation and toil beyond his years. Much of that time, now devoted to learning even by those whom penury visits with its severest trials, was spent by him in labor, and when he sought to improve those intervals, usually spent in repose, in the cultivation of his mind, the facilities enjoyed for that culture were greatly inferior to those now possessed even in the most adverse circumstances of life. Books, especially those designed to aid the youthful student in his advancement in learning, were then comparatively rare. Yet what he wanted in the means of improvement, he more than supplied by the diligent improvement of the means he enjoyed. What books he could obtain he read with deep interest, not lounging on a sofa, or around a marble centre-table brightly illumined with an astral lamp; but often in the chimney-corner, by the light which a wood-fire or its embers reflected, and when his body, fatigued with the toils of the day, called for the repose of the night. What he read he pondered until it became a part of his own mental being. Could we have seen the youthful laborer in the field, striving to maintain his place side by side with vigorous manhood, we might have thought of him in the future, when his frame had become matured, as a profitable workman; but could we have seen him, when the toils of the day were

ended, and those with whom he had wrought retired to rest, poring over some old worn-out book but valuable for the thoughts it contained, it would not have required the ken of a prophet to have foretold that he would become more than a laborer.

His love for the German language amounted to a passion, and it is said he read it with great beauty. Though not unacquainted with the best English writers, he delighted most in German literature, especially in German poetry, and had a taste for its deep and abstract philosophy, for the study of which few minds were better adapted. He revelled in the abstractions of Kant and Fichte, of Schelling and Hegel, those princes of German philosophy, as he did in the deep musings, the sombre imagery and recondite thoughts, of the most distinguished German poets.

His professional attainments, especially in the more abstract principles of law, were large, and as a counsellor he had few superiors. But he shrunk from the personal collision its practice in the courts involved, and retired from the bar to engage in employments and studies more congenial with his taste.

His administration as the Chief Magistrate of this Commonwealth shows, that he was no novice in the great and fundamental principles of government. His state papers indicate that he had deeply studied the questions of policy involving the great interests of this Commonwealth and the country at large, that he had looked at their remote as well as immediate consequences, and contemplated their influence on the progress and advancement of the entire community, under the fostering care of our free institutions, as well as their adaptation to the mere accumulation of gain. The opinions which these papers contain commend themselves to our attention, not only for the candor with which they are expressed, but for the reasons by which they are sustained.

Free institutions cannot exist without the intellectual and moral culture of the masses of the community. Of nothing was Governor Shunk more deeply convinced than of this.

Our common-school system had a deep hold on the affections of his heart. He knew it had many imperfections, particularly as it was carried into operation in some of the rural districts; he knew it was not accomplishing all that was desirable; but he believed it would yet work its way into the confidence of the people, and be itself the most efficient means of curing many of its defects. He rejoiced in the good it had effected, and with a generous enthusiasm exulted in the good it would effect.

The welfare of human society depends on nothing more than preserving inviolate the institution of the family as God has formed it. But for years past, with a ruthless hand and a reckless spirit, it had been invaded by the Legislature. The sacred ties of matrimony had been broken for the slightest reasons, and those natural and sacred bonds which God has himself formed between parents and children had been rudely violated. So regardless had the Legislature become of the sanctity of these bonds, that not only applications from our own citizens crowded upon them for their dissolution, but from other States where a wiser policy and a sterner morality prevailed, — the licentious, who desired to be free from the restraints their marriage vows imposed, hastened hither to take advantage of a laxer morality, in securing by legislative enactments the dissolution of the marriage contract.

At first, Governor Shunk seems to have yielded, without reflection, to the policy that had prevailed; but no sooner did he reflect upon it, than he was convinced of its enormous evil, and labored to resist it. Much was done by him to check that licentious disregard for the marriage relation which began to prevail to an alarming extent, and which threatened the most serious evils to the purity of domestic institutions — the most effectual guardian of public morals. Cases undoubtedly occur which call for the interference of law, as well as for the exercise of our warmest sympathy; but they are comparatively few. The conduct of Governor Shunk on this subject secured the warm approbation of the

virtuous of all parties. On no subject was he more loudly or universally applauded.

He adopted the maxim as sound, that that government was best which governed least, and hence he was, in the main, in favor only of general laws for the protection of property, life, liberty and the pursuit of happiness, operating equally on all, and leaving all alike free, in the exercise of their natural energies, to advance their own interests.

He said, "it was not by looking to special legislation for privileges which are denied to others, but by a just and manly self-reliance, that men secure their own progress and the well-being of the State." The tendency of capital to accumulate in the hands of the few, the power which it always wields, the antagonism between it and labor, and the encroachments of the former on the just rights of the latter, even under the best administration of the most equitable laws, he regarded as one of the dangers of republics. The distinctions thus created engender unhappy jealousies; and even the appearance of oppression on the one side too often excites to lawless aggression on the other. This tendency he thought should by no means be increased by legislation. Hence he resisted all grants of special privileges for the prosecution of private gain, as creating artificial distinctions, as repugnant to the spirit and genius of republican institutions, and calculated to destroy, ultimately, that equality of condition essential to the preservation of equal rights.

In securing this equality, he regarded, as most important, the operation of intestate laws, and laws prohibiting the entailment of estates; and consequently regarded all contrivances, in the shape of corporations with special privileges, by which wealth is aggregated and perpetuated under the control of a few individuals, as artificial aristocracies of the worst kind, and directly opposed to the natural simplicity of our democratic institutions. He dreaded their demoralizing tendencies in our elections, from the power which they might acquire over the property, and consequently over the independence of the electors.

Wealth he regarded as of minor consequence in promoting either the happiness of individuals, or the welfare of the community. A lofty independence of character, a free mind, a good conscience, generous and kind affections, combined with the sanctifying power, the holy aspirations, and the animating hopes, of a pure Christianity, he considered the essential elements of human happiness. He believed that man, never, since the sad apostasy, was placed in a better civil and social condition, to secure this happiness, than in our own beautiful country, and under our own free institutions.

When we review his life, when we reflect on the defects of his early education, on the serious difficulties to which he was subjected in the culture of his mind, when we look at his onward progress through life — his steady advancement from the poor laboring boy to the Chief Executive of this great Commonwealth, and the ability with which he performed the duties of that exalted station, we cannot but cherish the highest respect for his mental acquisitions. His example presents in the strongest light the genius of free institutions, in opening the road to the highest eminence to the poorest and humblest of our youth, and should excite all to a virtuous emulation to excel in the culture of their minds; for, although all cannot reach the Executive chair, all may become respected, useful, and eminent in the several spheres of life.

But we should do signal injustice to the character of Governor Shunk, and omit one of the most important elements of his success in life, if we did not refer to his moral as well as intellectual culture. He was a sincere, honest, upright man, pure in his private morals, and no less so in his public character. The political principles and policy, avowed in his State papers, were sincerely entertained. They were not set forth, as some, who knew him not and did not agree with him, may erroneously suppose, to please the popular taste. He never courted popular favor at the expense of sincerity and truth. He did not believe that the end justified the means. The want of political integrity, in his view, involved the want of private worth. The man who was dishonest in

one situation, he believed would be dishonest in another; that sincerity, truth and honesty, faithfully maintained in all the relations of life, in little matters as well as those more important, were essential attributes of character for one who would secure and maintain, for any length of time, the public confidence. Trick, fraud, artifice and chicanery, though they may secure an ephemeral success, he believed were sure to meet, ultimately, their due reward, in public as in private life Dishonesty at heart cannot long be concealed, even from a naturally confiding people. Occasions will occur when a righteous Providence will leave the man to himself, to fall under the power of some temptation, that will unfold his real character, and subject him to the desecration of an indignant public.

The proverbial honesty of Governor Shunk was one principal cause of his popularity, both in public and private life. There were multitudes who did not properly estimate his intellectual worth, who did not adopt many of his political views, or did not belong to his political party, who yet believed him to be an honest, upright man, in whom they could confide, and on that account gave him their support.

There are many politicians who suppose, that, as a worthless man's vote is worth as much at the polls as that of a good man; while it is important to conciliate the friendship of the latter by pretensions to morality, it is equally important to associate with the former, and cater to his propensities; to treat the intemperate at one time, and praise temperance at another; to laugh with the Infidel, and pray with the Christian. Such a game cannot be long successfully played. The good and the wise will soon understand the man, and withhold from him their confidence, while the wicked and licentious have too great a regard for their own interests to trust them in the hands of one who has proved himself insincere and dishonest. The example of Governor Shunk strikingly shows the value of honesty and uprightness, as elements of permanent political success.

With sterling, unbending integrity, he united child-like

simplicity of character, and unmeasured kindness of heart. We have never known a man of whom it can with so much truth be said, that affection and kindness were the very elements of his being, nor one who manifested such unfeigned pleasure in the happiness of others. He seemed to revel in their enjoyments. The gamboling of a lamb, the smile of an infant, the joyous shout of childhood, lit up his countenance, and seemed to make his very heart beat stronger with joyful emotions. The constant boundings of his affections rendered his life a very happy one. Despondency and gloom seldom fell upon his brow. There was a lightsomeness, a joyousness, that made his very step elastic in the days of his health, and transfused into his conduct almost a boyish cheerfulness, which some, unacquainted with his character, looked upon as a weakness, and others considered as violating the proprieties of his elevated situation. But he could not help it. If a kind look, a cheerful remark, and a cordial shake of the hand, would give any pleasure to the poorest man he met, it was not in his heart to withhold them. If sportiveness would make the children around him happy, he could not refuse it, though it should be at the expense of the gravity of the Governor of the Commonwealth. There was a frankness, a full and open-heartedness, that secured confidence; and never was the confidence thus secured betrayed.

Under that lightsomeness, that joyousness which imparted to his general manner through life a youthful cheerfulness, there was a stratum of deep seriousness, and religious feeling, of the extent of which many of his most intimate friends were not fully aware. Governor Shunk was a firm believer in the great doctrines of Christianity. He was a Lutheran by education, and remained through life strongly attached to the doctrines, the polity, and the discipline of the Lutheran Church. He read Luther's Bible, in the German, daily — and from expressions dropped from his lips on his death-bed, we may infer that he was not a stranger to the duty of habitual secret prayer.

To the pastor of the Lutheran church he remarked, but a

short time before the last moment, in answer to his question, whether he continued to feel the supports of religion: "I have great pain of body, but great peace of mind." To Mrs. Shunk he said he had a message for each of the family; but in attempting to speak it, the words broke on his heart. Thus full of affection and full of hope, he fell asleep,

> "Like one who wraps the drapery of his couch
> Around him, and lies down to pleasant dreams."

He was born, as we have said, at the Trappe. There he had spent his youthful days of toil. There he had enjoyed the warm gushing sympathies of a mother's heart. In that ancient house of God he had sat, and listened with solemn attention to the holy man, as he spoke of life, and death, and immortality, until his "heart was made soft," and feelings of strange and sacred delight stole over his mind. Around that ancient graveyard,

> "Where heaves the turf in many a mouldering heap,"

he had often wandered in the stillness of the evening hour, and given himself up to solitary musing, until the unbidden tears dropped from his cheek.

These fond recollections of his youth he had cherished through life; and when the hand of death lay cold upon him, these recollections awoke with freshness in his mind, and there with kindred dust he desired that his might repose. Thither were borne his earthly remains, there to rest in hope, until the morning of the resurrection.



Wm. Preston Johnston



## WILLIAM FREAME JOHNSTON,

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*July* 9, 1848, *to January* 20, 1852.

WILLIAM FREAME JOHNSTON, the third Governor under the Constitution of 1838, was born at Greensburg, Westmoreland County, on the 29th of November, 1808. His paternal ancestors were originally from Annandale, Scotland, where they at one time possessed the estates of Brackenside; but the head of the house, Alexander Johnston, being killed at the battle of Fontanoy, on the 30th of April, 1745, where he was serving as a captain of Welsh Fusiliers in the British service, the estate fell into dispute, and finally through political strife was lost, and the family settled in Ireland. There, in the County of Fermaugh, in July, 1772, the father of the Governor, Alexander Johnston, was born, and from thence emigrated to America in 1796. He at first served as a surveyor in the western part of the State, and finally settled in Westmoreland County. He was sheriff of the county in 1808, receiving his commission from Governor McKean, and afterwards served as Magistrate, Treasurer, and Register and Recorder under Governor Wolf. He was, during the greater part of his active life, largely engaged in mercantile pursuits, which the business of iron manufacture, then just commenced, rendered active.

The mother of the Governor, Elizabeth Freame, was born in Franklin County, in November, 1781. Her father, William Freame, a private in the British Army in 1760, came to this country with General Wolf, and at the peace of 1763 between Great Britain and France, accepted, with many of his comrades, the proposition of the English Government, to

remain in the Colonies. He settled first in Lancaster County, and afterwards removed to Franklin County, where he married Elizabeth Johnston, who had emigrated to this country from Ireland with her father in 1782. This branch of the Johnston family settled in Kentucky and North Carolina.

The issue of the marriage of Alexander Johnston with Elizabeth Freame was eight sons and two daughters. The two eldest sons were educated at West Point, and served in the regular army. The youngest, Richard, was a volunteer in the Mexican War. Before its close he was appointed a Lieutenant in the regular army, and was killed at the head of his company, while storming the enemy's works at the battle of Chepultepec. Hon. Edward Johnston resides in Iowa. The remaining sons are residents of this State. Colonel John W. Johnston served through the Mexican War, and in the late war was Lieutenant-Colonel and Colonel of the Fourteenth Regiment of the three months' service, and Colonel of the Ninety-third Regiment of the three years' service. The physical stature of the sons was remarkable, varying in height from six feet to six feet six inches, and in weight from two hundred to two hundred and fifty pounds. The father lived far beyond the period allotted to man, dying on the 15th of July, 1872, in the one hundredth year of his age. At the period of his death he was the oldest Freemason in the United States, having been initiated seventy-seven years before in Ireland.

The subject of this sketch was in early boyhood taught, by a kind and good mother, that the cardinal duties were to obey God's commands, to honor parents, and to love native country. His common-school and academic education was limited; but he had from youth an ardent taste for reading, and being blessed with vigorous powers of mind and body, he was enabled, by great diligence, to acquire a vast fund of information, which served him instead of elaborate training. He studied law under Major J. B. Alexander, and was admitted to the bar in May, 1829, in his twenty-first year. Shortly afterwards he removed to Armstrong County, where

he engaged in the practice of law, soon rising to a position of commanding influence. He was appointed by Attorney-General Samuel Douglass, and subsequently by Attorney-General Lewis, District Attorney for Armstrong County, which office he held until the expiration of Governor Wolf's first term. For several years he represented the county in the lower House of the Legislature, and in 1847 was elected a member of the Senate from the district composed of the counties of Armstrong, Indiana, Cambria, and Clearfield.

As a legislator Mr. Johnston was bold and original, not beholden to precedents, and was an acknowledged leader. During the period in which he was in the Legislature a great financial crisis occurred. So great was the distress that Mr. Van Buren, then President, was obliged to call an extra session of Congress, to devise means for the relief of the country. The Legislature of Pennsylvania, by the advice of Governor Porter, authorized the sale of all the bank and bridge stocks belonging to the Commonwealth, and revived the State tax. But every device failed to meet the emergency, and the interest on the State debts, then over forty millions, rested unpaid. The credit of the State was in a deplorable condition. English bondholders were loud in their denunciation of the bad faith of the Government, Sidney Smith, in particular, writing in the most bitter strain. At this crisis Mr. Johnston came forward with a proposition to issue relief notes, for the payment or funding of which the State pledged its faith. This he advocated with his usual energy and logical acuteness, and though a majority of the Legislature was politically opposed to him, it was adopted, and gave instant relief. It was designed as a temporary expedient, and as such was remarkably successful. As the originator of this measure, and its special advocate, he acquired a reputation for financial skill and ability throughout the commonwealth, its fortunate result serving only the more widely to circulate his fame.

In 1847, Mr. Johnston was elected President of the Senate. By a provision of the Constitution, if any vacancy occur by death, or otherwise, in the office of Governor, the Speaker

of the Senate becomes the acting executive officer. Governor Shunk had been re-elected in the fall of 1847, and had been re-inaugurated in January following; but in July of that year he had a violent attack of a pulmonary disease, from which he had for some time suffered. A copious hemorrhage of the lungs, by which he was reduced to the very brink of the grave, convinced him that he could not long survive, and on the 9th of that month he resigned. Accordingly, Speaker Johnston became Governor. But the Constitution provides, that if the vacancy occurs three months before the general Fall election, the acting governor shall order a new election; and the statute provides, that "the writ shall issue at least three calendar months before the election." If the vacancy should occur within three months of the election, so that a notice of three full months could not be given, then the new election must be postponed for a year. Governor Shunk resigned on the last day possible, to allow of a new choice at the ensuing Fall election, and that day was Sunday. The following day, Monday, would be too late to give a notice of the three full calendar months required by the statute. It was a case where the Constitution, and the statute providing for its practical operation, were in conflict. By a strict construction there was no authority for issuing a precept for a new election until the following year. But by this decision the acting governor might render himself liable to a charge of being actuated by selfish motives, inasmuch as he would thereby lengthen his lease of power an entire year. The Senate was not in session when the resignation occurred, and Mr. Johnston was at his home in a distant part of the State. It was not until the 26th that he reached the seat of government and assumed authority. This delay made the problem all the more difficult of solution.

Not wishing to hold the office one moment longer than the popular will seemed to dictate, he determined to avoid every occasion of a charge of selfishness and ordered the immediate election. In his first message to the General Assembly, he clearly states the motives which actuated him: "After a full and careful examination of the whole matter," he says, "I

believed it my duty to issue the writs, requiring notice to be given that an election would be duly held on the 2d Tuesday of October, then next ensuing, for the election of a Chief Magistrate of this Commonwealth. It appeared to me that in all cases of doubt there was no safer resting-place than submission to the decision of the people, and that in the construction of the laws relating to the point in question, if any doubt arose, the better course in a republican government was to refer to the citizen voter the right of selecting, at the earliest period, his presiding officer, rather than assume a position which would continue official station in myself, beyond the earliest legal opportunity to surrender it into his hands. The organic law required the election, and the legislative enactment should be so construed as not to contravene the constitutional provision. Had the terms of the Constitution and laws clearly given a different position to the question, however unpleasant the task of performing the duties of the office without the indorsement of the people's will, they would have been faithfully executed."

The election thus ordered resulted in the choice of Mr. Johnston for the full term of three years. One of the first subjects which occupied his attention, on assuming the executive trust, was that of the material interests of the Commonwealth. He saw on every hand the elements of great prosperity. The iron and the coal were bursting forth on every hill-side, and in every valley was a soil of untold fertility. It only needed the fostering care of government to fill the State with a busy population, and create marts where the hum of industry should be ceaselessly heard. In his opinion that fostering care could best be secured by a protective tariff. The legislation of Congress of 1846, upon this subject, was framed for revenue, and discriminated against, rather than for protection. This policy he argues against in his first message with great zeal and ability. "The price of labor," he says, "is regulated by its demand, and the value of the article it produces. . . . . Hence, whatever increases profitable labor, is substantially beneficial to the working classes, and affords them the means of comfort, the delights of ra-

tional enjoyment, and the opportunity of exalting their condition, and performing with safety to the country the duties of citizens. The manufacturer, if he be sustained in his enterprise, produces this result by opening to the laborer a new source of employment. It is frequently urged that the system of protection to domestic industry is of more interest to the manufacturer than to the laborer, as it enables him to dispose of his fabrics for a higher price, and to realize a better profit on his capital; but is not the capital of the laborer also involved in the fabric, and does he not receive a reward in proportion to the value of the article? Let it be remembered also, that his daily bread, the wants of his family, the education of his children, all depend upon the success of the establishment at which he is employed, and the objection can have little weight. . . . . The manufacturer carries to market in the fabrics he proposes to sell, the produce of the farmer, who is thereby relieved of the hazard and expense of conveyance. In another form he is still more largely benefited. One of the elements of well regulated society is unity of interest. Whatever may be said to the contrary, no national antipathies exist between capital and labor. They are dependent on, are supported by, and receive vitality from each other. The manufacturer who invests under the fostering care of government his capital in profitable industry opens a new source of wealth to the farmer, the artisan, and the laborer. An industrious population whose reward affords comfort and competence, gathers around him; other classes are attracted, and the store-house, the workshop, the school and the church are erected; villages spring up; the din of active industry and the sound of enjoyment mingle together; roads are opened, bridges are built, lands rise in value, and the farmer finds a market at his door, not only for his ordinary surplus produce, but also for numberless articles which were deemed unworthy of transportation. From that overflowing fountain, by an hundred rivulets, wealth is poured into his treasury. . . . . When, on the other hand, the manufacturer, unprotected by the government, is compelled to discontinue his business, not only the laborer, the artisan, and

the agriculturist, but the State also, is seriously injured, in the general depression of business, the diminished wealth of the country, and the reduced value of capital."

To strengthen his position, Governor Johnston quoted in this connection, from the messages of Presidents Washington, Jefferson, Madison, and Monroe, and Governors Snyder, Findlay, Wolf, and Porter, in which at successive periods they had urged the same policy. The passage from Jefferson's message is striking: "The suspension," he says, "of our foreign commerce, produced by the injustice of the belligerent powers, and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation into which we have thus been forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily increasing, and little doubt remains, that the establishments formed and forming, will — under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, *and of protecting duties and prohibitions — become permanent.*"

Until the administration of Governor Johnston, the records of the colonial and the State government had remained in single manuscript copy, and in a very confused condition, almost impossible of access. In addition to being in a perishable state, they were constantly exposed to destruction by fire upon the slightest accident. They covered a period of State and National history the most important and precious to the citizen. The Governor, ever jealous of the honor and renown of the Commonwealth, became solicitous for the safety of these documents. In his message of 1851, he says: "My attention has been called to the large body of original papers in the State Department, connected with the colonial and Revolutionary History of the State, and their extremely exposed and perishing condition. These records are worth preservation, as containing authentic information of the action of our fathers in the struggle for national existence. In the Capitol of Pennsylvania, and with the sympathies of her patriotic people, was independence matured and declared.

Her soldiers were most numerous around the standard of the nation, and there were more battle-fields on her soil than in the same area elsewhere. Every memorial of those days of devotion and trial should be faithfully preserved. There exists a single copy in manuscript of the minutes of the revolutionary Executive Council, a document by far too valuable to remain longer within the reach of accident or mutilation. It would be gratifying to a large body of our constituents if the Assembly would authorize the employment of a competent gentleman to select and arrange for publication these memorials of an interesting epoch in the history of the Commonwealth." In compliance with this recommendation, an act was passed authorizing the appointment of a suitable agent to select and superintend their publication. Mr. Samuel Hazard, a gentleman of taste and ability well suited to the execution of the trust, was delegated, and under his supervision twenty-eight volumes of *Colonial Records*, and *Pennsylvania Archives,* containing a vast amount of original papers of incalculable value and interest, were published.

The period during which the Fugitive Slave Law was under discussion, both before and after its enactment, was one of vital interest to every citizen of the Commonwealth. The excitement ran high while Governor Johnston was in the Executive chair. In his first message he enunciated the principles by which he should be governed, and which he believed ought to prevail. "While the compromises," he says, "of the Constitution should be maintained in good faith towards our Southern brethren, it is our duty to see that they are preserved with equal fidelity to ourselves. No encroachments, however sanctioned by use, should be acknowledged as precedents for further wrongs against the interests, prosperity, and happiness of the non-slave-holding States of the Union. If slavery be, in itself, an infraction of human rights — if it be directly opposed to the enlightened spirit of our free institutions — if it destroy the equality of power in the general Government, by enlarging, where it exists, the constitutional representation — if it possess a direct or indirect influence against Northern and Western policy and interests, by pro-

moting a system of laws destructive to domestic industry, and vitally affecting free labor — if it retard the natural growth of population and improvement, by the appropriation of large tracts of land for the benefit of the few to the injury of the many — if it be in open defiance of the spirit of the age, the march of rational truth, and the enlightened policy of mankind — it is time to arrest its further progress. These, it is believed, are the settled convictions of our citizens, and their determination to maintain them is unalterable."

The passage of the Fugitive Slave Law, and the excitement incident to the return of fugitives under it, soon after became a subject of heated discussion. Governor Johnston held upon this subject that the Constitution provided that fugitives should be given up; that there could not be concurrent jurisdiction, as, in that case, thirty-one sovereignties might prescribe as many different rules of action, each meant to make effective National legislation; that, upon the question which should decide whether a person claimed ought rightfully to be given up, the State, or the National government, the decision of the Supreme Court had settled that it should rest with the latter; and that, consequently, whenever power over a subject-matter is vested by the Constitution in Congress, and the power has been exercised, the authority of the States has been judicially declared, merged, and abolished. Of the injustice and impropriety of the Fugitive Slave Law he had no doubt; but Congress having a clear right to make it, he believed that it should be obeyed until it could be modified, or entirely wiped from the statute book. The system authorizing commissioners to hold courts for determining the right of rendition in particular cases, he believed open to the gravest objections. Upon this question, he says: "All history shows that special tribunals, clothed with discretionary powers over person and property, are liable to abuse, and have been instruments of oppression. If in these the early days of the Republic, when no reason of urgent State necessity can be invoked, powers of a high judicial nature over the liberty and property of an individual, are to be vested by appointment of an inferior tribunal, in an irre-

sponsible person, the security of the life, reputation, and liberty of the citizen in after-times, when new political or social emergencies may arise, will depend on a most precarious tenure." He held that the representatives of Pennsylvania in Congress should labor to secure a modification of the law in this particular.

Governor Johnston deserves much credit for the successful manner in which he managed the financial affairs of the Commonwealth during his administration. Upon his accession the debt was over forty millions, having been increased eighteen millions during the preceding nine years. The interest on this vast sum was regularly paid.

His political course during his first term had been so satisfactory to the party by whom he was supported, that he received the nomination for re-election, but was defeated by a small majority. Upon retiring from office, he entered upon an active business life, and was engaged at different periods in the manufacture of iron, boring for salt, the production of oil from bituminous shales, and latterly in refining petroleum. Under his presidency the Alleghany Valley Railroad was constructed from Pittsburg to the town of Kittanning. During the rebellion he took an active part in organizing troops, and as chairman of the Executive Committee of Public Safety, superintended the construction of the defences at Pittsburg. In connection with Mr. John Harper, he became responsible for the ammunition which was sent to West Virginia at a critical juncture in the fortunes of that State, and which materially aided in preserving it from being overrun by the rebels. He was appointed by President Andrew Johnson collector of the port of Philadelphia, the duties of which office he for several months discharged; but through the hostility of a majority of the Senate to the President, he was rejected by that body, though ample testimony was given that the office was faithfully and impartially administered.

He was married on the 12th of April, 1832, to Miss Mary Monteith. The offspring of this marriage were five sons and two daughters. Governor Johnston died at Pittsburg, October 25, 1872, in the sixty-fourth year of his age.



Wm Begler



## WILLIAM BIGLER,

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 20, 1852, *to January* 16, 1855.

WILLIAM BIGLER was born at Shermansburg, Cumberland County, Pennsylvania, in December, 1813. His parents, Jacob Bigler and Susan Dock, sister of Judge Dock of Harrisburg, were of German descent, and were educated, like most children of their origin, in both the German and English tongues. While very young, his parents removed to Mercer County, having purchased a large tract of wild land, in the hope of building up their fortunes; but the title proving defective, they found themselves in a short time bereft of everything but a small farm.

The maintenance of a large family from the products of land scarcely reclaimed from the dominion of the forest, aided only by young children, imposed upon the father incessant and exhausting toil. Anxiously did he labor to provide for their daily wants, and secure the means for future competence. Taxed beyond his strength, his system soon yielded to the inroads of disease, and he passed away, leaving a widow and children to wrestle with a backwoods life. Could he with dying vision have penetrated the future, he would have beheld two of his sons, for whose welfare he must have had great concern, filling the gubernatorial chairs of two of the most important States in the Union. John, the eldest son, being Governor of California, and William of Pennsylvania; and, shortly afterwards, one holding an important foreign mission, and the other a Senator of the United States.

Sorely harassed with the labor necessary for the support of the family, the boys received only the common-school

education obtainable during the winter months in a rural district; but William finally graduated from an institution well adapted to the practical development of the talents of a bright boy — that of a printing-office. From 1830 to 1833 he was employed, by his brother John, in the office of the *Centre Democrat*, published at Bellefonte. At the end of that period, influenced by the advice of his friends, among whom was Andrew G. Curtin, since governor of the Commonwealth, he decided, though not without many misgivings, to remove to Clearfield, and commence the publication of a political paper. He possessed energy, industry, regular habits, and good natural abilities; but he had no printing-press, no material, and, what was more disheartening, no money. Through the kind consideration of friends, he was enabled to borrow a sufficient sum to purchase a second-hand press and some half-worn type, and with these he started on his lonely journey, to establish, as he used afterwards in a jocular spirit to characterize it, an eight-by-ten Jackson paper, to counteract the influence of a seven-by-nine Whig paper which had preceded him into that mountainous region. Trudging along on foot behind the two-horse wagon freighted with the implements of his doubtful venture, the young man indulged in many discouraging reflections and sad forebodings of the fortune that was to await him; and when arrived at the summit of Mitchell's Hill, overlooking the town which was to prove his Mecca, his heart sank within him, and so depressed were his spirits, that he would have abandoned the enterprise, and actually proposed to the friend, Gillespie, who accompanied him, to drive back to Bellefonte with the material, and deliver it to its owners, and he himself would go West on foot. But the horses were jaded and must be fed, and necessity took them forward.

Upon his arrival, his doubts and misgivings were speedily removed; for, though he had the acquaintance of but two or three persons in the whole county, the cordial welcome which he received, and the generous hospitality extended to him on every hand, made him feel that he was among true

friends; and though he has since led a life full of honors, it is doubtful if any event in its whole course is capable of exciting so much genuine delight, as the recollection of his reception at Clearfield.

Encouraged by the light and warmth thus diffused, he bent vigorously to his task, and in a few days the *Clearfield Democrat* made its appearance. It was an insignificant affair when judged by the newspapers of a later day; but it was edited with spirit, and was devoted to the special purpose of lauding the virtues of Andrew Jackson and the policy of his school, and the discomfiture of that seven-by-nine advocate of Whiggery which was sending forth its pestilential doctrines. With the assistance of a son of Thomas Hemphill, then a leading Democratic politician of the place, Mr. Bigler wrote the editorials, set the type, worked the press, and dispatched the paper. But notwithstanding his industry and economy, and the generous assistance of friends, his income afforded him but a scanty support. He was, however, by its publication necessarily carried into a participation in the politics of the State and the nation, and he rapidly gained a reputation for sagacity, sound judgment, and above all for sincerity of purpose, which soon brought him public consideration. His kindly bearing towards even political opponents made him a favorite; besides, he was a real backwoodsman, was a good hunter, and the best marksman with a rifle in all the country,—accomplishments, which in those days by no means detracted from his influence as a political leader.

In 1836, Mr. Bigler was married to Maria J., daughter of Alexander B. Reed, of Clearfield. A native of the place, genial in manners, full of true charity and womanly affection, possessed of remarkable equanimity of mind and firmness of purpose, she was everywhere a favorite. Though making no pretensions to the accomplishments of fashionable life, she has proved herself a true lady, an affectionate wife and mother, and a devout Christian. The marriage was a happy one, and the offspring were five sons, three of whom survive.

Soon after his marriage Mr. Bigler disposed of his paper and entered into partnership with his father-in-law in mercantile business. He engaged in his new pursuit with his usual industry and energy, and in a brief period placed himself in the front rank of the merchants and dealers in lumber in that section. From 1845 to 1850 he was by far the largest producer of lumber, or square timber, on the West Branch of the Susquehanna River. But his previous active participation in politics, and his well-known views on public questions, kept him prominently before the people. He was an ardent advocate of a convention to amend the State Constitution, and was presented from his county as a delegate to that body, but he declined to be a candidate.

In 1841 he was nominated for the State Senate, and though much to his pecuniary disadvantage, he being then extensively engaged in the lumber trade, which demanded his exclusive attention, he reluctantly accepted the nomination. The district was composed of the counties of Armstrong, Indiana, Cambria, and Clearfield, and he was elected by a majority of over three thousand. Though opposed by a regularly nominated candidate of the Whig party, he received every vote in Clearfield County save one, a result unprecedented in the history of politics. In after time, as he became involved in partisan strife, many were the claimants for the honor of casting that one vote; but none could disturb the title of George Atchison, an original Abolitionist. The term of service upon which he now entered covered a period of unusual difficulty in the management of the affairs of the State. The failure of the United States Bank, and the Bank of Pennsylvania with the funds of the State on deposit, caused a stringency in monetary affairs, and prevented the payment of the interest on the public debt which was now swollen to enormous proportions. Trade and commerce were paralyzed, and the murmurs of deep discontent were heard suggesting repudiation as the only alternative. In the struggle which ensued in the Legislature upon this subject, Mr. Bigler took an active part, resisting at every step the approaches to so

base a proposal, and vindicating with great energy the honor and integrity of the Commonwealth. His speech upon the question of resumption of specie payments by the banks was received with great favor, and John Strohm, then a senator from Lancaster, approached him at its conclusion and said: "Young man, that speech will make you Governor of Pennsylvania, if you behave yourself well hereafter."

He was elected Speaker of the Senate in the spring of 1843, was re-elected at the opening of the session of 1844; and in October following was returned for a second term. Mr. Bigler did not desire again to be a candidate; and so disinclined was he to continuing in public life, that he had instructed the delegates from Clearfied to the nominating convention to withdraw his name, which they did; but the delegates from the other counties composing the district conferred the nomination on him notwithstanding, and he was elected by a vote much larger than the regular party vote.

The question of railroad communication between Philadelphia and Pittsburg came before the Legislature during his second term in the Senate, and excited absorbing interest. The people of Philadelphia, and especially the capitalists, applied for a charter to construct a road between the two cities, wholly within the limits of the State. The people of Pittsburg, on the other hand, holding that a direct route across the Alleghany Mountains was impracticable, and that the Philadelphians were insincere in their advocacy of the work, insisted on granting to the Baltimore and Ohio Railroad Company the right to extend that road through the western counties of the State to their city, upon the theory that for all time to come the only railroad communication between the two extremities of Pennsylvania should lie through the States of Delaware, Maryland, and Virginia. The contest over the two projects soon became animated, attracting to the capital many influential men from all parts of the Commonwealth interested in the result. The sentiment in Mr. Bigler's district was divided, but he earnestly advocated the road through the State. He did not believe the route to be im-

practicable, and he had great faith in the improvements promised in the motive power on railroads, which has since come to be realized. The contest was finally settled by the adoption of a proposition which he himself offered, that if a *bona-fide* subscription of three millions of dollars was not made and paid towards the construction of the Pennsylvania Central road on or before the first of the ensuing June, then the act granting the right of way to the Baltimore and Ohio Company should become of effect, otherwise it should be null and void. Pending the passage of the bill, Mr. Bigler made an elaborate speech, showing the feasibilities of the route, the advantages of a road through the very heart of the State, and estimates of its prospective business. At the time these were regarded as visionary, but now appear ridiculous by their insignificance compared with what has been already realized.

At the time that the subject was under discussion in the Legislature, the people of Freeport, Armstrong County, a part of his senatorial district, not well understanding the merits of the two propositions, and believing that unless the Baltimore and Ohio Company was allowed to build, no road would ever be constructed, held a public meeting and appointed one of their number, Philip Klingensmith, a strong-minded, honest Pennsylvania German, to go to Harrisburg, and endeavor to win Mr. Bigler to the support of their views. He proceeded on his journey, had several interviews with the Senator, and finally returned to Freeport. As the canal-boat which bore him homeward neared the landing, Philip beheld the beach lined with his constituents, all eager to learn the result of his mission. Without waiting to salute them, he began to denounce the whole party, first in German and then in English, as a set of d—d fools, and enemies to their country; said that Bigler was all right, and so was he, and that, as for the Ohio company, it had better stay where it was.

In his speech, Mr. Bigler pointed out, link by link, the great feeder to the Pennsylvania road, now known as the

Tyrone and Clearfield Railroad, and which has recently been completed, mainly under his directorship. Time has thus verified his prediction, made twenty-two years ago, when the charter even of the main line had not been secured. He was also the early and zealous advocate of the Philadelphia and Erie Railroad, as appears by reference to numerous speeches, and resolutions which he supported, and by his messages to the Legislature.

In 1848, his name was presented as a candidate for Governor, and he received a large vote in the Democratic nominating convention of that year; but the choice fell upon Morris Longstreth, then a Canal Commissioner, who was defeated by William F. Johnston. In 1849, Mr. Bigler was appointed one of the Revenue Commissioners, whose duty it was to adjust the amount to be raised by taxation in the different sections and Counties of the State.

In 1851, he was nominated for Governor by acclamation, and was elected after a warmly contested canvass, by a good majority. The contest with Mr. Johnston, the opposing candidate, though conducted with courtesy and frankness, was one of unprecedented energy. It was kept up without respite from August to the day of election in October, both candidates exhibiting unusual tact and ability, and wonderful powers of physical endurance. In addition to subjects of State policy, the rendition of fugitive slaves under the Constitution and laws of the United States, and the question of slavery in the Territories, were more or less involved. Mr. Bigler unqualifiedly maintained the laws of Congress for the return of slaves, and the equal rights of the citizens of all the States in the Territories, whatever might be the character of their property, including property in slaves.

By a remarkable coincidence his own election as Governor of Pennsylvania was simultaneous with the election of his elder brother John, to the same dignity in the new State of California.

Governor Bigler's administration was characterized by many of the virtues of the old-time Governors, especially

maintaining rigid economy and strict accountability in the use of the public moneys. A system of legislation had grown up, known as "log-rolling" or "omnibus legislation," which had become exceedingly demoralizing. It was only necessary to unite a bad project with a number of good ones in one heterogeneous bill to secure its passage. In his message to the Legislature of 1854, the Governor said: "After much reflection on the magnitude of this evil — its vexatious inroads upon private rights, and its demoralizing tendency upon the interests of the people, as upon the more elevated purposes of legislation, I have determined to co-operate with the General Assembly in the application of the most efficient means which their wisdom may devise for its removal; but in the mean time, as a restraining part of the law-making power, I must beg to be indulged in claiming the privilege of considering each subject of legislation separately, and on its merits, as contemplated by the spirit of the Constitution. Henceforth, therefore, bills containing a variety of subjects of legislation, dissimilar in their character and purposes, cannot receive the sanction of the present Executive." This firm stand taken by the Governor had the desired effect. A law was passed forbidding the passage of any act which did not fully state in its title the subject-matter, and which contained more than one subject, thus breaking down forever this most pernicious system.

He resisted with a firm hand the wholesale chartering of banks, vetoing eleven such acts in one message, and sending in thirty similar messages during a single session.

His views respecting the revision of the organic law as expressed in the same message as that above quoted are notably sound and practical. "I have never," he says, "felt willing to see our fundamental law changed for light or doubtful reasons, but I sincerely believe that when the proper time arrives it will be wise so to amend the Constitution as to require that each law shall be passed in a separate bill, and receive not less than a majority of votes of each House on a call of the yeas and nays; to provide that all laws of a public nature

shall be general in their character and apply to the entire State; that municipal corporations, vested with all the power the Legislature could confer, should not have the right to become subscribers to, or holders of the stock of other corporations; to interdict the creation of debt for any purpose except war; to unite some other functionary with the Governor in the exercise of the pardoning power."

In March, 1854, he was again unanimously nominated for Governor, and entered upon another laborious campaign; but his health failed, and he lay sick in the northern part of the State during most of the canvass. He was defeated by the Native American party by a large majority. His resistance to this organization was unqualified, zealous, and determined beyond his usual bearing in partisan politics. He did himself less justice in the attitude he occupied towards the famous Kansas-Nebraska bill, which was largely involved in the canvass; for, while he accepted it as the measure of his party, it was well known that his individual judgment was against it, and that he was urgent in his appeals to Judge Douglas, who was a leading power in Congress, to adhere to his original bill, which asserted the right of the people of a territory to regulate its domestic affairs, including the right to hold slaves, but left the Missouri Compromise undisturbed.

In January, 1855, but a few days after the expiration of his gubernatorial term, he was elected President of the Philadelphia and Erie Railroad Company, in which capacity he evinced his usual energy and industry, and contributed largely to bringing its affairs to a healthy condition. He was also, in January, 1855, elected to the Senate of the United States, where he served for six years. At the end of two years Mr. Buchanan became President, and the importunities for office were exceedingly harassing—Mr. Bigler, on account of his supposed influence with the President, being charged with a large share of responsibility for the appointments. Divisions also occurred in the Democratic party upon the subject of the Kansas troubles, in which he was pitted against Judge Douglas, a man unsurpassed in tact and ability. So

solicitous had Mr. Bigler become for a settlement of this vexed question, that, in 1857, he travelled over the greater part of Kansas, urging the friends of a free State to unite in the election of delegates to a convention for framing a State Constitution, and secure a majority of members favorable to their views; but they held themselves aloof, and he maintained that they had thereby authorized those who did vote to act for them, and were bound by the result. That he acted from pure motives there can be no doubt, though his course was not vindicated by subsequent events.

When, after the election of Mr. Lincoln, it became apparent that secession would be attempted, Mr. Bigler was untiring in his efforts to secure an amicable adjustment of the national troubles. He acted with Mr. Crittenden in his efforts to secure a compromise, and held that the people of the Southern States could have no reasonable plea for resorting to violence until they had first exhausted all peaceful means for the adjustment of their grievances. In the course of an elaborate speech upon the subject in the Senate, in February, 1861, he said: "As for secession, I am utterly against it. I deny the right, and I abhor the consequences; but I shall indulge in no argument on that point. It is no remedy for any one of the evils lamented, and in my judgment it will aggravate rather than remove them, and, in addition, superinduce others of a more distressing and destructive character."

He was a member of the committee of thirteen, to which was referred the famous compromise propositions of Mr. Crittenden, and throughout sustained their adoption. He also presented and advocated a bill providing for submitting the Crittenden resolutions to a vote of the people of the several States, which was rejected, but which has since been regarded by sagacious men as a remedy which would have utterly crushed secession. He was a member of the Charleston Convention of 1860, where he took decided ground against the nomination of Judge Douglas. He was temporary chairman of the Democratic convention of 1864, and voted for the nomination of General George B. McClellan.

He was also nominated in the same year for Congress, and though defeated received more than his party vote. He was again a delegate to the Democratic convention of 1868, which met in New York.

He is at present living in retirement at Clearfield, though he has the nomination for delegate to the convention which is to meet for the revision of the State Constitution, and will doubtless be elected. For many years he has given his time and energies and much of his means to the extension of a railroad to Clearfield, and to the erection of a beautiful stone church for the first Presbyterian congregation of that place, of which body he became a member some years ago. Mr. Bigler's career has been uniformly marked by great energy and steadiness of purpose. Whatever his hands found to do he did it with his might. Ceaseless devotion to a public trust is a characteristic that has been accorded to him by men of all parties, as well as the possession of superior grasp of mind and benevolence of heart.

## JAMES POLLOCK,

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 16, 1855, *to January* 19, 1858.

JAMES POLLOCK was born in the borough of Milton, Northumberland County, Pennsylvania, on the 11th of September, 1810. His father, William Pollock, was an American by birth, as also his mother, Sarah Pollock, who was the daughter of Fleming Wilson, and was born in Chester County, Pennsylvania, in October, 1771. His paternal and maternal ancestors emigrated from the north of Ireland to America as early as 1760. They settled in Chester County, and were the open and avowed friends of American independence during the war of the Revolution. One branch of the family settled in North Carolina; and some of its members were intimately connected with, if not prime movers in, the first declaration of independence at Mecklenburg, in that State. They were there known by the name of Polk, an abbreviation of Pollock, the original family name. His father died in May, 1817, leaving a widow and seven children — four sons (of whom James was the youngest) and three daughters. With an energy and determination that characterized her life, the mother assumed at once the responsible duties of educating her children. She was a woman of strong intellect, of great moral courage, and marked devotional spirit, qualities that aided in forming and moulding the character of her children. She died in Milton, February 19th, 1865, in the ninety-fourth year of her age.

The boyhood of James, the subject of this sketch, was passed principally at school. His first teacher was Joseph



Jas. Pollock



B. Anthony, afterwards president-judge of the eighth judicial district, of whom he became the successor in the same office in the year 1850. He remained in the school of Mr. Anthony but a short time, and, soon after leaving, entered the Milton Classical Academy under the care of Rev. David Kirkpatrick. He here prepared for, and entered the Junior Class in the College of New Jersey, at Princeton, and graduated as Bachelor of Arts with the highest honors of his class in September, 1831. In 1835, he received, in course, the degree of A. M., and in 1855 his Alma Mater conferred upon him the honorary degree of LL.D. In 1857 the trustees of Jefferson College, Pennsylvania, bestowed upon him the like honor.

After his graduation he entered, as a student of law, the office of Samuel Hepburn, a gentleman of eminent legal learning, in his native town, and was admitted to practice in the several Courts of Northumberland County in November, 1833. In April, 1834, he opened an office in Milton, and was successful in the practice of his profession. In 1835 he was appointed District Attorney for Northumberland County, which office he held for three years.

He was married on the 19th day of December, 1837, to Miss Sarah Ann, daughter of Samuel Hepburn. He held a number of important civil offices. He was a Whig in politics, but notwithstanding this, he was, in 1844, elected a member of Congress from the Thirteenth Congressional District, then strongly Democratic, and was twice re-elected from the same district, holding the office for six years. As a member of some of the most important committees, he contributed largely to the general work of legislation. In the Twenty-eighth Congress he was a member of the Committee on Claims, and his numerous reports attest the extent and quality of his labors. In the Twenty-ninth Congress he was on the Committee on Territories, of which Stephen A. Douglas was chairman. To this committee were referred all bills relating to the organization of new territories; and the question of excluding slavery therefrom was often presented,

warmly debated, and generally determined in favor of exclusion. It was evident from the tone and temper of the discussions in committee and in Congress that a crisis was approaching. The reports from this committee gave direction and force to public sentiment. The discussions increased in warmth and bitterness, and finally culminated in attempted secession, revolution, and war, the sequel to all which was the triumph of the National cause and the abolition of slavery. During the Thirtieth Congress he was an active member of the Committee of Ways and Means, of which Samuel F. Vinton, of Ohio, was chairman. The country was then engaged in a war with Mexico, and in consequence the business of the committee was greatly augmented. The duties of the place were onerous and responsible, but were fully and faithfully discharged.

On the 23d of June, 1848, Mr. Pollock offered a resolution for the appointment of a special committee to inquire into the necessity and practicability of constructing a railroad to the Pacific coast. As chairman of that committee he made a report to the House in favor of the construction of such a road. The report may be found in the third volume of the Journal of the House of Representatives for the first session of the Thirtieth Congress. This was the *first favorable official act* on this subject on the part of the Congress of the United States. The report discusses the question in its international and domestic aspects, its feasibility, and probable results. The opening paragraph is in these words: "The proposition at first view is a startling one. The magnitude of the work itself, and the still greater and more magnificent results promised by its accomplishment — that of revolutionizing morally and commercially, if not politically, a greater part of the habitable globe, and making the vast commerce of the world tributary to us — almost overwhelm the mind. But your committee, on examination, find it a subject as simple as it is vast and magnificent, and see no insurmountable difficulties in the way of its successful accomplishment."

A bill accompanied the report, and was referred to the

Committee of the Whole, but no further action was taken on it at that time, and Mr. Pollock soon after left Congress. In the fall of 1848, however, he delivered a lecture on the Pacific Railroad, by invitation, to a crowded house, at Lewisburg, Union County, closing with the following remark: "At the risk of being considered insane, I will venture the prediction, that in less than twenty-five years from this evening, a railroad will be completed and in operation between New York and San Francisco, California; that a line of steamships will be established between San Francisco, Japan, and China; and there are now in my audience, ladies who will, before the expiration of the period named, drink tea brought from China and Japan, by this route, to their own doors!" This prophetic announcement was received by the audience with a smile of good-natured incredulity; but some of those very ladies, during the year 1869, were able to sip their favorite beverage in exact accordance with the terms of the speaker's prediction! On the 10th of May, 1869, the last rail was laid, the last spike driven, and the great Pacific Railway, so long in embryo, became an accomplished fact!

The subjects of special interest during his Congressional term of service were the annexation of Texas, the Mexican war, the acquisition of California, the repeal of the Tariff Act of 1842, and the "Wilmot Proviso" in its application to the newly acquired Territories of the United States. In all the discussions on these exciting topics he took an active part. His speeches and votes demonstrate the consistency of his views, and the breadth and soundness of his understanding.

In 1850 he was appointed President-Judge of the eighth judicial district, composed of the counties of Northumberland, Montour, Columbia, Lycoming, and Sullivan. He held the office until the amendment of the Constitution required the election of judges by the people. He declined a nomination for the position, and, on leaving the Bench, resumed the practice of the law.

In 1854 he was nominated, and elected by a large majority,

Governor of Pennsylvania, and was inaugurated in January, 1855. He held the office for one term, having refused to permit his name to be used as a candidate for renomination.

Throughout his entire term of office, the subject of the repeal of the Missouri Compromise and the introduction of slavery into the territories was warmly agitated, and it became the duty of the chief magistrate of one of the most influential States in the Union to speak for the millions of people whom he represented. That duty he performed in a manner that admitted of no equivocal interpretation. In his Inaugural Address he said: "Pennsylvania, occupying as she does an important and proud position in the sisterhood of States, cannot be indifferent to the policy and acts of the national government. Her voice, potential for good in other days, ought not to be disregarded now. Devoted to the Constitution and the Union,—as she was the first to sanction, she will be the last to endanger the one or violate the other. Regarding with jealous care the rights of her sister States, she will be ever ready to defend her own. To the Constitution in all its integrity, to the Union in its strength and harmony, to the maintenance in its purity, of the faith and honor of our country, Pennsylvania now is and always has been pledged — a pledge never violated, and not to be violated, until patriotism ceases to be a virtue, and liberty to be known only as a name. . . . With no desire to restrain the full and entire Constitutional rights of the States, nor to interfere directly or indirectly with their domestic institutions, the people of Pennsylvania, in view of the repeal of the Missouri Compromise, the principle involved in it, and the consequences resulting from it, as marked already by fraud, violence, and strife, have reaffirmed their opposition to the extension of slavery into territory now free, and renewed their pledge 'to the doctrines of the Act of 1780, which relieved us, by Constitutional means, from a grievous social evil; to the great ordinance of 1787, in its full scope, and all its beneficial principles; to the protection of the personal rights of every human being under the Constitution of

Pennsylvania and the Constitution of the United States, by maintaining inviolate the trial by jury, and the writ of *habeas corpus;* to the assertion of the due rights of the North, as well as of the South, and to the integrity of the Union.' The declaration of these doctrines is but the recognition of the fundamental principles of freedom and human rights. They are neither new nor startling. They were taught by patriotic fathers at the watch-fires of our country's defenders, and learned amid the bloody snows of Valley Forge and the mighty throes of war and revolution. They were stamped with indelible impress upon the great charter of our rights, and embodied in the legislation of the best and purest days of the Republic; have filled the hearts and fell burning from the lips of orators and statesmen, whose memories are immortal as the principles they cherished. They have been the watchword and the hope of millions who have gone before us, and the watchword and the hope of millions now, and will be of millions yet unborn."

Again, in his message of January 7th, 1857, he said: "To the policy and acts of the National Government, affecting, as they do, the rights and interests of the Commonwealth, the people of the State cannot be indifferent. Pennsylvania, occupying a high and conservative position in the sisterhood of States, devoted to the Constitution and the Union, in their integrity and harmony, has been, and will ever be, as ready to recognize the rights of her sister States as to defend her own. These sentiments she has never abandoned — these principles she has never violated. . . . Freedom is the great centre-truth of American Republicanism — the great law of American nationality; slavery is the exception. It is local and sectional; and its extension beyond the jurisdiction creating it, or to the free territories of the Union, was never designed or contemplated by the patriot founders of the Republic. In accordance with these sentiments, Pennsylvania, true to the principles of the Act of 1780, which abolished slavery within her territorial limits, true to the great doctrines of the Ordinance of 1787, which dedicated to free-

dom the Northwestern territory of the Union, true to the national faith and national honor, asks and expects, as due to her own citizens who have, in good faith, settled in the Territory of Kansas, and as due to the industry and energy of a free people, that Kansas should be free. . . . . The union of the States which constitutes us one people, should be dear to you — to every American citizen. In the heat and excitement of political contests, in the whirl of sectional and conflicting interests, amid the surging of human passions, harsh and discordant voices may be heard, threatening its integrity and denouncing its doom; but in the calm, 'sober, second thought' of a patriotic and virtuous people will be found its security and defence. . . . . Pennsylvania tolerates no sentiment of disunion. She knows not the word. . . . . The Union and the Constitution, the safeguard and bond of American nationality, will be revered and defended by every American freeman who cherishes the principles and honors the memory of the illustrious founders of the Republic."

Among the most important measures of his administration were the adoption of a policy by which the reduction of the public debt was commenced, and nearly two millions of dollars paid; the sale of the main line of the "public works" to the Pennsylvania Central Railroad Company for $7,500,000, which sum was made applicable to the payment and reduction of the debt of the Commonwealth, and which, added to the sum actually paid, reduced the debt, practically, nearly ten millions of dollars; a series of acts by which increased vigor and efficiency were given to the system of common schools; retrenchment and reform in the various departments; and economy in the general administration of the Government.

In the fall of 1857 occurred a financial crisis which led to the suspension of specie payments by the banks of the State, and threatened every branch of industry with serious derangement and injury. To avert impending evils, an extra session of the Legislature was called, which convened in October of that year. On the recommendation of the Governor, the

suspension was legalized for a definite period, the forfeiture of the charters of the respective banks prevented, and other measures adopted which allayed the public apprehension, saved the credit of the State, and removed the dangers to which the general prosperity had been exposed.

At the expiration of his official term, Governor Pollock resumed the practice of his profession in the place of his nativity. On leaving Harrisburg for his home, both Houses of the Legislature adjourned, and, headed by their respective speakers and officers, accompanied him to the cars which bore him away. The parting with all, without distinction of party, was as of abiding and cherished friends. The scene was significant and impressive.

In 1860, at the time of greatest impending peril, and before hostilities had opened between the North and the South, an earnest effort was made by the friends of peace and conciliation to settle all causes of difference by means of friendly conference. It was thought by bringing together a body of men representing the several States, who were above selfish and ambitious designs, and who should fairly and freely confer with each other, that a basis of pacification could be adopted which would avert an appeal to arms. For this purpose representative men were selected, and Governor Pollock was appointed to represent Pennsylvania. This body met in Washington, and remained in session during a part of February and March. A plan of compromise drawn by Mr. Crittenden was adopted by the conference; but it failed to meet the approval of Congress, being opposed by Representatives of both the North and the South with equal resolution, and the wager by battle became the only alternative. In this body Governor Pollock bore a conspicuous part.

In May, 1861, he was appointed, by President Lincoln, Director of the United States Mint at Philadelphia, and held the office until October 1st, 1866, when, on the accession of Andrew Johnson to power, he resigned. By his efforts, with the approval of Mr. Chase, then Secretary of the

Treasury, the motto "In God we trust" was placed upon the national coins — a motto of deep significance, and alike honorable to the people and government of the United States. He was reinstated in 1869, by President Grant, in his former position as Director of the Mint, which office he now (August, 1872,) holds.

During the late War his sympathies and labors were unreservedly given to the support of the National Government. Rebellion found no advocate in him, treason no friend. True to the Union, he was ever ready to aid in its defence; true to liberty and humanity, he was always their advocate; true to his country, he rejoiced in the overthrow of its enemies, and in the assurance of its triumph.

In appearance, Governor Pollock is of commanding person, rather above the medium height, with prominent dark eyes, and a face beaming with intelligence and benignity. In manner he is cordial and frank. As a public speaker he always commands attention, not less by the soundness of his views, than by the force and eloquence with which they are expressed. He has for many years held an elevated place in public estimation by his zeal in promoting educational and religious reforms.



Wm. L. Packer

## WILLIAM F. PACKER,

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 19, 1858, *to January* 15, 1861.

WILLIAM FISHER PACKER, the second son of James and Charity Packer, was born on the 2d day of April, 1807, in Howard township, Centre County, Pennsylvania. His father, James Packer, born in 1773, was a native of Chester County, and a son of James Packer and Rose Mendenhall. James Packer, the grandfather, was born in 1725, in New Jersey, at the site of the present city of Princeton, and was a son of Philip Packer and Ann Coates. Philip Packer was an English Quaker, and among the first emigrants to West Jersey, under the auspices of William Penn and other leading Friends of that day, and his descendants adhered to the same religious faith. Rose Mendenhall, the grandmother, was a daughter of Aaron and Rose Mendenhall, and was born in the Great Valley, near Downingtown, Chester County, in 1733. Charity Bye, the mother of the Governor, was born in Bucks County, in 1780. She was a daughter of Hezekiah Bye and Sarah Pettit, who were also members of the Society of Friends. It will thus be seen that Governor Packer was descended from a purely Quaker ancestry, among whom will be recognized the Coateses, the Pettits, the Mendenhalls, and others — names still familiar in Philadelphia and the eastern counties of Pennsylvania.

When the Governor was but seven years old his father died, leaving a widow and five small children — the eldest under ten years of age. Bereft of paternal care, the sons, Hezekiah B., now Judge Packer, of Williamsport, William F., the subject of this sketch, and John P., a merchant of

Flemington, Clinton County, as they arrived at a sufficient age, applied themselves to the task of assisting their mother in maintaining the family, and cheerfully sustained whatever hardships their situation imposed, receiving at the same time such education as the limited facilities of the country schools of that time afforded. Directed by their mother, and relying upon their own resources for success, it is no marvel that these young men became distinguished, each in his proper sphere, in after life.

In 1820, Samuel J. Packer, a kinsman, afterwards a State Senator from the Northumberland district, was publishing a newspaper at Sunbury, called the *Public Inquirer*, which advocated with great ability the re-election of Governor William Findlay. Ascertaining that he could obtain a place in that office to learn the art of printing, William F., then in his thirteenth year, left his home in midwinter, travelled alone to Sunbury, a distance of eighty miles, and engaged himself as an apprentice. Upon the defeat of Governor Findlay, the *Inquirer* was discontinued, and, after an absence of a year, he returned to Centre County, where he completed his apprenticeship in the office of the *Bellefonte Patriot*, then under the control of Henry Petrikin, who subsequently became a distinguished member of the State Legislature, and was deputy secretary of the Commonwealth under Governor Shunk.

After the expiration of his apprenticeship, in 1825, he obtained a clerkship in the office of the Register and Recorder of Lycoming County; but, at the commencement of the session of the Legislature, in December of the same year, he went to Harrisburg and engaged as a journeyman printer in the office of the *Pennsylvania Intelligencer*, published by Simon Cameron, now United States Senator, and David Krause, afterwards President Judge of the Bucks County district. These gentlemen had just previously been elected public printers. In their office he worked for two years, and on the completion of the public printing, in 1827, returned to Williamsport, and entered his name as a student-at-law in the office of Joseph B. Anthony, who afterwards served as a State Senator, mem-

ber of Congress, and President Judge of the Lycoming district. He never applied for admission to the bar, yet the knowledge thus acquired of the rudiments of the profession was of inestimable value to him in the public stations which he subsequently filled.

In the fall of 1827 he purchased an interest in the *Lycoming Gazette*, one of the oldest and most influential newspapers in the State, published at Williamsport, and, in partnership with John Brandon, conducted the paper until 1829, when, upon the demise of Mr. Brandon, he assumed the entire control of the establishment. His connection with the *Gazette* continued until the spring of 1836, when he left the paper in a flourishing condition and with a commanding influence. As an editor, his style was bold and energetic, well calculated to command attention and impress his ideas upon the reader.

On the 24th of December, 1829, he was married to Mary W., daughter of Peter W. Vanderbelt, an honored citizen of Williamsport, and granddaughter of Michael Ross. Ten children were the offspring of this marriage, six of whom are still living. Mr. Ross was a gentleman distinguished for great energy of character and strength of mind, and was the original owner of the land upon which the present city of Williamsport is built.

In 1831, shortly after the system of public improvements had been commenced in Pennsylvania, and after the West Branch Canal had been adopted as a part of the system, through the votes and influence of the representatives from Philadelphia in making appropriations for prosecution of work, this line was omitted and was thus threatened with abandonment. Had this decision been adhered to, the people of that section of the State would have been deprived of a great natural line of communication with the metropolis. Public meetings were immediately held, addresses were delivered, resolutions adopted, and, among other strong measures, a direct appeal was made to the people of Philadelphia against the suicidal policy of their own members.

This appeal had the desired effect; and the Philadelphia members, under the pressure brought to bear upon them from their own immediate constituency, retraced their steps, and voted for appropriations to the West Branch Canal. In all these proceedings Mr. Packer, although a very young man, bore a leading part. He was the author of the address to the people of Philadelphia, and to his efforts, as much as to those of any other individual, are the people of that section of the State indebted for preserving and completing this great improvement. As work upon it progressed, the public voice very properly called for his appointment as superintendent of that division; and he was designated by the canal commissioners, in June, 1832, to fill that responsible office. It was soon manifest that the people had not over-estimated his abilities, nor the canal board misplaced their confidence; for he disbursed, while acting in that capacity, the several large appropriations of the Legislature, amounting to more than a million and a quarter of dollars, without any loss to the Commonwealth, and to the entire satisfaction of all. He was re-appointed for three successive years, and held the office until the spring of 1835, when the canal was completed to its present terminus at Farrandsville, and the office of superintendent abolished.

During the gubernatorial campaign of 1835, Mr. Packer took a leading and active part in favor of the re-nomination and re-election of Governor George Wolf; and, notwithstanding the schism in the Democratic State Convention and the prospect of his own nomination in the Lycoming district for State Senator, he continued to press, through the columns of the *Gazette*, the claims of his favorite, regardless of personal considerations. Nor was his zeal abated by his own nomination for Senator, though it was plain that he could not be elected without the support of the Muhlenberg wing of the party. The friends of Joseph Ritner at once perceived the advantages thus afforded them, and they promptly coalesced with the friends of Mr. Muhlenberg, upon Alexander Irwin, of Clearfield County, electing him by a small majority,

and thus obtaining his future sympathy and support. At the same election, Mr. Ritner, the anti-Masonic candidate, was also elected Governor by a plurality vote over his Democratic competitors, George Wolf and Henry A. Muhlenberg.

In 1836 he united with O. Barrett and Benjamin Parke in the establishment and publication of *The Keystone*, at Harrisburg, a paper which at once commanded the confidence and support of the Democratic party of the State. The enterprise was successful, and Mr. Packer continued a member of the firm until 1841, when he retired. In the memorable contest of 1838, between David R. Porter and Joseph Ritner for the governorship, which was both animated and bitter, *The Keystone* contributed largely to the election of Governor Porter. Mr. Packer also distinguished himself in the campaign by his tact and power as a public speaker.

In February, 1839, he was appointed a member of the Board of Canal Commissioners, where he was associated with James Clarke and Edward B. Hubley. The responsibility and patronage of the Canal Board were little exceeded by those of the Executive; and for the succeeding three years, during which he held the office, his whole attention was devoted to the successful management of the State's vast chain of internal improvements.

At the commencement of Governor Porter's second term, in May, 1842, Mr. Packer was appointed Auditor-General of the Commonwealth. He continued to discharge the duties of that office until 1845, a period of three years. His office gave him a seat in the cabinet of the Executive, and thus called into action his knowledge of men, of measures, and of the diversified interests of the State. Holding jurisdiction over all the public accounts, including the large expenditures of money for public improvements, numerous difficult and complicated questions arose for adjudication, which called for the exercise of the soundest judgment; and no mind, save one well informed by an extensive acquaintance with the whole internal improvement system, as well as with the statutes of the Commonwealth, could have discharged the

duties successfully. The ability and impartiality displayed in this trust, are acknowledged by men of all parties.

In 1847 he was duly elected a member of the House of Representatives from the district composed of the counties of Lycoming, Clinton, and Potter, by a majority exceeding fifteen hundred votes. He was a candidate at the preceding election, and, as afterwards appeared, received a majority of votes; but by a mistake in carrying out the returns of Porter Township, Clinton County, his competitor was returned as elected, and actually served during the whole of the session before the error was discovered. Although this was his first appearance as a member of any legislative body, his knowledge of the public interests, his acquaintance with parliamentary rules, and his business capacity were so widely known and acknowledged, that he was chosen Speaker. The selection of a new member to a post of such great responsibility, and requiring such varied and extensive abilities, may be regarded as a high honor in which he stands as the sole recipient in the annals of the State. In 1848 he was re-elected by an increased majority. The brilliant achievements of a brave and successful general, who was a candidate for the Presidency, had produced disastrous results to the Democratic party throughout the Union, giving the Whigs a large majority in the Senate of Pennsylvania, and reducing the Democratic members of the House to a bare equality in number with their opponents — each party having fifty members. Notwithstanding this circumstance, and although every member was in attendance at the organization of the House, Mr. Packer was again elected Speaker of that body. Considering his known attachment to Democratic principles, his great influence and continual activity as a writer and as a public speaker in sustaining those principles, his second elevation to the Speaker's chair was an honorable and magnanimous tribute to his talents and integrity, and to the impartiality and ability with which he had discharged the high duties of the office at the previous session. This compliment was in fact richly

merited. Although self-taught, his education had not been neglected. He was familiar with the current literature, and with the teachings of history and philosophy. Though not a member of the legal profession, he was a much better lawyer than many who belonged to it. His thorough acquaintance with legal principles and with constitutional and parliamentary law, eminently qualified him for the duties of the chair. So satisfactory were his decisions upon the many difficult questions which arose during the two sessions in which he served as Speaker, that they were in no instance reversed by the House. Indeed, an appeal was never taken, except in a solitary case; and on that occasion, upon hearing his reasons and the authority cited in support of his decision, the judgment of the Chair was unanimously sustained,— the gentleman who took it voting against his own appeal.

At the general election of 1849, Mr. Packer, having received the Democratic nomination for State Senator, in the district composed of the counties of Lycoming, Clinton, Centre, and Sullivan, was elected by a large majority over Andrew G. Curtin, who succeeded him in the Executive chair. Politically, at that time, the Senate was about equally divided, and at the two succeeding sessions the Whig party had the control. In that body, as was anticipated, he proved one of the most efficient members, and especially distinguished himself on all questions relating to the improvement of the valley of the Susquehanna. Hitherto no railroad had been authorized along that valley by which a close North and South connection could be effected between Washington and Baltimore and the Great Lakes. Trade and travel were compelled to leave the route destined by nature for a great public highway, and pass over mountain chains or by circuitous routes, through other cities. The reason assigned for this unwise course was that the policy of Pennsylvania was opposed to the building of roads leading across the line of its improvements and directly to cities of other States. Mr. Packer, in the session of 1851, met this question boldly, by introducing a bill to incorporate the Susquehanna

Railroad Company, with authority to construct a road connecting with the York and Cumberland road at Bridgeport, opposite Harrisburg, or with the Pennsylvania road, on either side of the Susquehanna, or on the Juniata, and with the right and privilege to connect with both or either of said roads, and running through Halifax and Millersburg, in Dauphin County, to Sunbury, in Northumberland County; and with the further privilege of extending the road from Sunbury to Williamsport, on the West Branch, and to Wilkesbarre, on the North Branch, of the Susquehanna. This project, so eminently proper in itself, but so repugnant to the policy theretofore pursued, was, of course, bitterly opposed. Finding that it could not be defeated by direct attack, bold attempts were made to destroy its effect by amendments. But all these efforts to embarrass and defeat the measure were firmly and successfully resisted. The bill passed and became a law.

At the same session, a bill was reported by the Senate committee of finance authorizing the assessment of a tax of twenty-five cents per ton on all freight, and fifteen cents on each passenger paying fare and passing over the York and Cumberland Railroad. As that road was but twenty-six miles in length, the tax proposed was almost prohibitory, and was intended by its supporters to prevent trade and travel from leaving the valley of the Susquehanna and passing to Baltimore — the York and Cumberland Railroad constituting a link in the chain of roads leading to that city. Mr. Packer's speech, in opposition to that measure, delivered on the 21st of February, 1851, and reported by Wm. E. Drake, was a masterly effort. It was extensively republished, and produced a marked effect upon the public mind. It was conclusive; and the friends of the bill were constrained to accept the same terms of taxation on the York and Cumberland, which were by law imposed upon the Pennsylvania railroads. The liberal and statesmanlike policy so successfully advocated by him on that occasion is not now questioned, and is approved by none more heartily than by those who then opposed it with the greatest zeal.

When the three-hundred-dollar exemption law was passed, Mr. Packer was Speaker of the House of Representatives, and gave it his cordial support. At the succeeding session, in presenting to the Senate a petition from a portion of his own constituency, asking for the repeal of the law, he announced his fixed determination to resist the repeal, and in a speech upon that subject, feelingly remarked: "I would not permit the covetous and hard-hearted creditor to drive his unfortunate debtor, naked and penniless, out upon the cold charities of an inhospitable world. The laws that authorize such a procedure should be blotted from the pages of the statute books of every State in this Union. They are repugnant to the spirit of the age, and revolting to humanity. Like the laws sanctioning imprisonment for debt, they should be repudiated by every philanthropic legislator; they should exist but in the history of the past — an obsolete idea. It has been truly said, Mr. Speaker, that he who sells out the last little property of a wife and family of small children of a rash, heedless, or perhaps intemperate husband and father, and afterwards, with a cheerful countenance, goes home to dine, goes home to feast on human hearts. Sir, money thus obtained has a damning curse upon it."

He also supported, in both branches of the Legislature, the proposed amendment of the Constitution, authorizing the election of the judiciary by the people.

On the organization of the Susquehanna Railroad Company, in June, 1852, Mr. Packer was made its first president; and it was mainly through his exertions, aided by influential citizens of Baltimore, that that city, by its councils, decided to guarantee five hundred thousand dollars of the bonds of the York and Cumberland Railroad Company, which had been loaned to the Susquehanna Company. This at once gave to the latter funds and a credit which ultimately secured the completion of the road to Sunbury. Subsequently, the Susquehanna, the York and Cumberland, and the Baltimore and Susquehanna Companies were consolidated under the title of the Northern Central Railway Company, and a dis-

tinguished Baltimorean was made its first president, Mr. Packer continuing a member of the board of directors.

In 1854 the Legislature annulled the charter of the Franklin Canal Company and assumed the control of the railroad built by that company from the city of Erie to the Ohio State line, and Mr. Packer was appointed to take charge of the road while it was in the possession of the State. He entered upon those duties, and continued to discharge them until the Lake Shore Railroad difficulties were finally and satisfactorily settled.

For some years prior to the Presidential election of 1856, the Democracy of Pennsylvania had presented the name of James Buchanan for the first office of the nation, and to secure his nomination by the Cincinnati Convention of that year, great care was taken in the selection of delegates to represent the State in that body. Among those chosen was Mr. Packer, who labored earnestly to accomplish that object. Mr. Buchanan was nominated; and when the platform was reported to the convention, it so fully met the approval of Mr. Packer's judgment that he moved its adoption "without the crossing of a t or the dotting of an i;" and his motion was unanimously carried. Gratified alike with the candidate and the platform, all his energies were devoted to their success; and his numerous speeches during that campaign contributed largely in producing the desired result. In this connection, it may be stated that he was also a delegate to the first Democratic National Convention, which assembled in Baltimore in 1835, and nominated Martin Van Buren for President, and Richard M. Johnson for Vice-President.

In March, 1857, he was nominated for Governor, and though opposed by the Hon. David Wilmot, author of the "Wilmot Proviso," who enjoyed a wide-spread reputation as a public speaker and a politician, candidate of the Republicans, and by the Hon. Isaac Hazlehurst, candidate of the Native Americans, he was triumphantly elected, having a majority over both of more than fourteen thousand votes.

At the period of his nomination for Governor, the political

question which overshadowed all others was, whether Kansas should be admitted into the Union with or without a constitutional recognition of slavery. A state of armed hostility existed between the inhabitants and the general Government, and the agents of the latter, for their safety, had been compelled to flee from the territory. In view of the bearing which the action of the national administration on this question must necessarily have upon the Pennsylvania election, then pending, Mr. Packer addressed a letter to President Buchanan, from which, though marked "private," the following paragraphs may be made public without impropriety. It is dated, Harrisburg, March 24, 1857. "Our people," he says, "confidently expect that your administration will see that equal and exact justice shall be done to all parties — the free-state as well as the pro-slavery men — and they will be satisfied with nothing short of that. We approve of the Kansas bill; but in God's name let its provisions be honestly carried out; let the law be faithfully executed. Let the conduct of the public agents in Kansas not only *be* right, but let it *appear to be right.* If slavery should be instituted by, or under a slave-holding Executive, and Kansas should claim admission as a slave State, it does not require a prophet to foretell the consequences north of Mason and Dixon's line. The Democratic party, which has stood by the Constitution and the rights of the South with such unflinching fidelity, would be stricken down in the few remaining States where it is yet in the ascendancy; the balance of power would be lost; and Black Republicans would rule this nation, or civil war and disunion would inevitably follow. What, then, is to be done? Will you permit me to make a suggestion? The post of honor and renown, if successfully and satisfactorily filled, at this moment in the gift of the President, is the Governorship of Kansas. Send one of the first men of the nation there — some gentleman who enjoys the confidence of the North and the South — and let him cover himself with glory by a fearless and a faithful discharge of the duties of his station. Sustain him, then, with the whole power of the Govern-

ment, and follow with swift vengeance any party that dares to raise a hand against the law or its prompt and faithful execution. The time for trifling is past. Bold, efficient action is required. To waver or to vacillate, is to fail. Who, then, should be appointed? If General Scott would accept of the position, and if the duties are compatible with those of the military station he now holds, I answer, appoint General Winfield Scott. He has the confidence of the nation. He is acceptable to the South, having been born and reared in Virginia; and he is not unacceptable to the North, inasmuch as he now resides there. If requested by the President, in view of the importance of the mission, I do not think that he would decline. However, let some such man be appointed — some man well known to the American people, and in whom they confide, and the result will be the same. All will be well. Otherwise, I tremble for the result."

His official action on national questions which, during his Executive term, seriously threatened the dissolution of the Union, and which ultimately involved the country in civil war, forms so important a part of the record of that eventful crisis, as it relates to Pennsylvania, that it is due to the truth of history, as well as to Governor Packer's memory, to present some extracts from his annual messages, in which the whole subject was discussed. Throughout his administration he was the firm advocate of the doctrine of popular sovereignty — the right of the people of the States and Territories to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. In his inaugural address he said: "To the people of Pennsylvania the admission of a new State into the Union — into that confederacy of which she is a member — must be at all times a subject of high interest. And I believe I express their sentiments, as well as my own, in declaring that all the qualified electors of a territory should have a full and fair opportunity to participate in selecting delegates to form a constitution preparatory to admission as a State, and, if desired by them, they should also be allowed an unqualified right to vote upon such constitution after it is framed."

In his annual message to the Legislature, in January, 1859, referring to his inaugural address, he said: "Subsequent events have confirmed me in these sentiments. The deplorable disputes in the first session of the present Congress, the popular excitement resulting from those disputes, together with other proceedings, in their nature novel and alarming, would all have been averted, had the people been secured in 'the unqualified right' to vote upon their domestic institutions. I regret to be compelled to say that, under various pretences, this sacred franchise has been virtually withheld from them. During the angry feelings which this controversy has aroused, the theory has been started, and insisted upon, that it will henceforward be the duty of Congress to protect slavery in the territories, if the people of the territories shall fail to do so. . . . Such a doctrine, no matter how sanctioned or supported, will shake the very pillars of our constitutional fabric. It would compel every territory to elevate property in slaves above every other description of property, and to establish a slave code in its early municipal regulations; or else it would convert the Congress into a theatre of crimination and confusion, and fill the whole country with strife. . . . Regarding myself as fully committed to the doctrine of popular sovereignty in its broadest sense, I can never subscribe to the theory of congressional intervention, as understood and supported by the opponents of this doctrine. . . . A theory equally heretical has been advanced in another portion of the Union. It has been held that this government, divided into free and slave States, as it was framed by our revolutionary fathers, cannot endure, — that all must become free, or all become slave. When such a doctrine shall be enforced, the constitution will have been subverted, State sovereignty prostrated, State rights disregarded, and the liberty of the people destroyed. It should meet an indignant rebuke from every lover of his country, and the blood-bought right of the people and the States to self-government."

In the fall of 1859, "John Brown's raid" was made into

Virginia. In his annual message to the Legislature, in January, 1860, Governor Packer thus refers to that subject: "The recent seizure of the public property of the United States at Harper's Ferry, and the invasion of the State of Virginia, by a small band of desperadoes, with an intention to excite the slave population to insurrection, have drawn attention to the dangers which beset our federal relations. . . . To us, as Pennsylvanians, it is gratifying to believe that the citizens of this Commonwealth have not, in any manner, participated in this unlawful proceeding, and to know that when some of the guilty perpetrators were arrested within our jurisdiction, they were promptly surrendered to the justice of the offended and injured State. The several States of this Union are independent sovereignties, except so far as they have granted certain enumerated powers to the Federal government. In cases not provided for in the Federal Constitution, the several States, in their relations to each other, ought to be governed by the principles which regulate the conduct of civilized nations. These principles forbid, in all nations, 'every evil practice tending to excite disturbance in another State,' and are founded on the maxim that 'different nations ought, in time of peace, to do one another all the good they can, without prejudicing their real interests.' This maxim, recognized by all civilized governments, applies with peculiar force to the several States of this Union, bound together, as they are, by a sacred compact for mutual support and protection; and, therefore, any attempt in one State to incite insurrection in another is an offence against all the States, because all are bound by the Constitution to put down such disturbance. . . . In determining our relative duties towards our sister States, the morality of servitude is not an open question, for we are bound by the legal and moral obligation of the compact of the Union, under which we have been brought into existence and preserved as independent States, as well as by the principles of international law, to respect the institutions which the laws of the several States recognize, and in no other way can we faithfully fulfil our obligations as members of this confederacy."

Governor Packer's official term closed in January, 1861. South Carolina, by its Convention, had just passed a secession ordinance. In his last Annual Message to the Legislature, referring to this momentous subject, he said: "The extraordinary and alarming condition of our national affairs demands your immediate attention. On the twentieth of December last, the Convention of South Carolina, organized under the authority of the Legislature of that State, by a unanimous vote declared 'that the Union now subsisting between South Carolina and the other States, under the name of the United States of America, is hereby dissolved;' and the action already taken in several other Southern States indicates, most clearly, their intention to follow this example. On behalf of the advocates of secession, it is claimed, that this Union is merely a compact between the several States composing it, and that any one of the States, which may feel aggrieved, may, at its pleasure, declare that it will no longer be a party to the compact. This doctrine is clearly erroneous. The Constitution of the United States is something more than a mere compact, or agreement, between the several States. As applied to nations, a compact is but a treaty, which may be abrogated at the will of either party; responsible to the other party for its bad faith in refusing to keep its engagements, but entirely irresponsible to any superior tribunal. A government, on the other hand, whether created by consent, or conquest, when clothed with legislative, judicial, and executive powers, is necessarily in its nature sovereign; and from this sovereignty flows its right to enforce its laws and decrees by civil process, and, in an emergency, by its military and naval power. The government owes protection to the people, and they, in turn, owe it their allegiance. Its laws cannot be violated by its citizens, without accountability to the tribunals created to enforce its decrees and to punish offenders. Organized resistance to it, is rebellion. If successful, it may be purged of crime by revolution. If unsuccessful, the persons engaged in the rebellion may be executed as traitors. The Government of the United States, within the limits

assigned to it, is as potential in sovereignty as any other government in the civilized world. The Constitution, and laws made in pursuance thereof, are expressly declared to be the supreme law of the land. Under the Constitution, the general Government has the power to raise and support armies, to create and maintain a navy, and to provide for calling forth the militia, to execute its laws, suppress insurrection and repel invasion. . . . . The creation of the Federal government, with the powers enumerated in the Constitution, was the act of the people of the United States, and it is perfectly immaterial that the people of the several States acted separately within the territorial limits of each State. The form of their action is of no consequence, in view of the fact that they created a Federal government, to which they surrendered certain powers of sovereignty, and declared those powers, thus surrendered, to be supreme, without reserving to the States, or to the people, the right of secession, nullification, or other resistance. It is therefore clear, that there is no Constitutional right of secession. Secession is only another form of nullification. Either, when attempted to be carried out by force, is rebellion, and should be treated as such, by those whose sworn duty it is to maintain the supremacy of the Constitution and laws of the United States."

After reviewing at length the causes which had produced the perilous disaffection both North and South, Governor Packer concluded his Message by recommending a compromise of existing difficulties, either by a Constitutional amendment, to be submitted by Congress, or by a National convention of delegates emanating from the people themselves.

At the close of Governor Packer's administration, owing to declining health, he retired from public life, and returned with his family to his former home in the city of Williamsport, where, honored and beloved by all, he died on the 27th of September, 1870, at the age of sixty-three. In stature, he was above the ordinary size, being six feet in height, and weighing, while Governor, two hundred and twenty-five

pounds. He had blue eyes, chestnut-brown hair, a fair complexion, and a capacious forehead, indicating great intellectual power. His address was frank, open and cordial, and his conversational powers pleasing and attractive. As a public speaker he had few equals — never failing to attract large audiences, and to command the most profound attention. Through life he was thoroughly democratic in his principles. Springing from the people, he was no empty talker about names and forms, but an energetic actor, always ready to do battle for their rights, and opposing with unflinching firmness every form of intolerance, whether political or religious. Looking to the people as the legitimate source of all political authority, he was ever ready to trust them with every power consistent with representative government.

## ANDREW G. CURTIN,

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 15, 1861, *to January* 15, 1867.

THE Rebellion of 1861 brought great labors and responsibilities to the Executives of all the loyal States. It was a period when the exalted patriotism and devoted service of the boldest hearts were put to trying tests. Great armies were to be raised and marshalled, and inspired with enthusiasm for the national cause, from a population long given to peaceful pursuits, and ignorant of, and averse to the business of war. The productive energies of the country were to be preserved from languishing, and the means of carrying on a long and wasting contest to be provided. It fell to the lot of the subject of this sketch to come to the Executive chair just as hostilities were opening, and he occupied it until the smoke of the conflict had cleared away, and the veterans from many a hard-fought field and lonely bivouac fire, with banners streaming in triumph, came marching home. He came to that chair with the bloom of youth on his cheek, and a step elastic from the pulsations of health; he left it with a face on which were graved the lines of care, and a head grown prematurely gray. Posterity will not suffer the memory of such to fade.

Andrew Gregg Curtin was born on the 22d of April, 1817, at the village of Bellefonte, Centre County, Pennsylvania. His father, Roland Curtin, had settled there in 1800, having emigrated to this country from Ireland in 1793. He first engaged in business as a merchant; but in a limited way, for the population was then sparse, and in that wild, mountainous region the only means of transportation was by pack-horses.



A. G. Curtin

In 1807 he erected a forge on Bald Eagle Creek, about four miles from Bellefonte, and in 1817, a furnace, where shortly after he removed with his family. With a single exception, that of General Philip Benner, his was the first manufactory of iron established in all that region, and in this business he continued until his death, which occurred in 1851, and his sons after him to the present time. He was a man of considerable literary attainments, having been educated in Paris, where he was sent at the age of eighteen. He was twice married; the second time to a daughter of Andrew Gregg, for many years a member of Congress, a United States Senator, Secretary of State under Governor Heister, and candidate for Governor in opposition to John Andrew Shulze.

The subject of this sketch was one of seven children by the second marriage. He was first taught in his native village, where Mr. Brown, a man of learning and culture, was employed to instruct a dozen or more boys, and where, among others, he was associated with Roland Curtin Boileau, since remarkably successful as a merchant of Meadville. He was afterwards sent to a school under the charge of Dr. Keagy at Harrisburg, and was finally placed in a widely celebrated institution at Milton, of which the Rev. Dr. Kirkpatrick was principal, where he finished his academic education. He then returned to Bellefonte, where he commenced the study of law in the office of William W. Potter, afterwards a member of Congress from that district. Attracted by the fame of Dickinson College, which at this period had a law department in a flourishing condition, Mr. Curtin was matriculated in the latter, where he became a pupil of Judge Reed, who was regarded as one of the ablest lawyers in the State.

In 1839 he was admitted to the bar in Centre County, and commenced practice at Bellefonte, in partnership with John Blanchard, an eminent lawyer and afterwards member of Congress. At the very opening of his career he took a leading rank in his profession. Of commanding presence, and ready elocution, he was able, from his well-stored mind, to hold the attention alike of judge and jury. Possessed of

exuberant spirits, and a keen sense for wit and humor, he was often able, by a few master-strokes of ridicule, to make what seemed in his opponent's case to be plausible, appear utterly indefensible. In criminal cases he was especially successful, and it was before a jury in such causes that his power was most conspicuous, and in conducting which he took great delight.

His tastes and training admirably qualified him for the political arena, and he early entered it embracing the principles of the Whig party of that day, of which he soon became a most successful advocate. In 1840 he labored for the elevation of General Harrison to the Presidency, and in 1844 made a successful canvass of the State for Henry Clay, exciting great enthusiasm wherever he appeared. In 1848 he was placed upon the electoral ticket and contributed largely in raising and maintaining that tide of enthusiasm which carried the hero of the first Mexican campaign to the Presidential chair. He performed a like office for General Scott in 1852, serving again upon the electoral ticket.

In 1854 he was strongly urged to accept the nomination for Governor, but refused, and took instead the laboring oar in securing the election of his friend James Pollock, acting as chairman of the State central committee of the party, conducting the canvass with unexampled energy and zeal, and with the most flattering success. Recognizing his eminent qualifications for the position, Governor Pollock appointed him Secretary of the Commonwealth, a post of signal honor and responsibility, as in addition to the duty of Secretary proper, he was *ex-officio* superintendent of Common Schools. In the discharge of the duties of the latter office he took a special pride, and labored zealously. It was at a period when important changes were being engrafted upon the common-school system, and before it had become firmly rooted in the affections of the people. Previous to this time the supervision of the schools in many parts of the State was lax, and the uses of the public money were often very questionable, favorites of those who had its custody often creeping into the

position of teacher with little fitness for the place. County superintendents had just then been chosen for the first time whose duty it was to examine and certify to the qualifications of teachers; and no one could be employed without such certificate. They were also to visit the schools, and annually to report the manner in which moneys had been expended. The people in many parts of the State, ever regarding with jealous eye the creation of new offices, looked with distrust upon the County Superintendency; and dishonest officials who are usually loudest in their cry for reform, saw in it the ruin of their system of ill-gotten gains. Joined to these causes of disquiet, in many counties an unfortunate choice of officers was made, and in others inadequate salaries were voted, thus crippling the services of good officers. It is not strange, therefore, that considerable opposition was manifested to this feature, and indeed to the whole school system. But by the indefatigable labors of Secretary Curtin, and his able and zealous deputy, Henry C. Hickok, it was preserved in its integrity until the new features could take root, and commend themselves by their fruits to the sober judgment of the people. To the steady hand of these officials in this trying period is due one of the most important agencies in making common-school education efficient in Pennsylvania.

In his annual report of 1855, after recounting the numerous evils which had existed previous to the establishment of the County Superintendency and other provisions of the law of 1854, he says: "It is not surprising that, as these abuses were beyond the reach of individual effort, and grew as a consequence out of the defects of the system itself, all who could afford it carefully withheld their children from the common schools." Turning to a contemplation of the happy changes which had been produced by the establishment of the County Superintendency in the same report, he says: "It has effected a useful adjustment of the business operations of the boards of directors in correcting the deranged state of their finances, and in many instances in recovering money of the schools overlooked or supposed to be lost. It has elevated

the profession and established more uniformity in the char acter and qualifications of teachers in theory and generally in practice; the incompetent and unworthy have been rejected, while the door has been opened wide for the admission of the meritorious and qualified, and a stimulus has been given to study and self-improvement. It is the great medium of connection between the Department and the schools; and, while it has produced unity and harmony of action between them, it has secured to the system power and efficiency hitherto unattainable."

But, while he thus rejoiced in the improvements in the organic law which had been achieved, and the good results which they were producing, he plainly saw that one element of strength and prosperity was still wanting, and deeply lamented the defect. "The leading feature," he says, "of every report emanating from this Department to the Legislature for twenty years, is the want of a sufficient number of well-qualified teachers. . . . . No substitute for a regular professional training, extending through years, and embracing a complete course of study in all the branches necessary to illustrate those directly taught in the schools, can make the perfect teacher."

That the Legislature might have some definite object for which to labor, in concluding his remarks upon the subject of training teachers, in his report of the following year, he portrays the features of a system of Normal Schools adapted to the wants of the State, and urges its consideration with great warmth and earnestness. "A combination of the best elements of the State and the private school, and at the same time an avoidance of their disadvantages, might be obtained by the enactment of a law of which the following is a synopsis: — The State to be divided into ten or more Normal School Districts, each to contain one school — the establishment, government, powers and duties of the schools to be uniform in all the districts, and to be regulated by the general provisions of the law. The schools to be erected and governed in accordance with the general law, by private but as-

sociate enterprise, to contain halls, class-rooms, and apparatus, with a school of practice, and the necessary facilities of instruction, for not less than three hundred students each; and only to be recognized as schools for the training of teachers under the law, when completed, in conformity to all its provisions, after inspection by the Governor, or such other officer as the Legislature may please to designate. The course and term of study to be arranged by the joint action of the proper public authorities, and the principals of all the schools. Each Normal School to receive one or two students annually from each common-school district, at a price for tuition to be fixed by the law, and to be paid either by the State or the district. Such students to be designated by the directors of the proper district, from among its most meritorious and best prepared pupils desirous of acquiring the art and science of teaching. Examinations to be made, and diplomas granted, by all the principals of the district normal schools, with the concurrence and aid of the proper State officers. Such diplomas to be conclusive evidence of the degree of scholarship specified in them; but no certificate of competency in the art of teaching to be given, until after two years successful practical experience, certified by the directors, by whom he or she was employed, and by the County Superintendent of the proper district."

At the session of the Legislature following that to which this report was made, a law was passed embodying the identical provisions here recommended. It was the crowning excellence of the admirable system of education with which the State is blessed. Already in eight of the districts professional schools have been established, or are in process of being established, presided over by able and learned professors, and filled with an aspiring and intelligent corps of young men and women in training for the office of teacher, an honor to the Commonwealth and the chief glory of the Common School system.

At the expiration of his term as Secretary, Mr. Curtin resumed the practice of the law at his old home in Bellefonte,

and was active and influential in promoting the opening of lines of railway leading into the central part of the State. In 1860, he was nominated as a candidate for Governor. Though the Democratic party in the nation was divided, supporting Breckinridge and Douglas for President, it rallied in Pennsylvania with great unanimity to the support of Henry D. Foster. The contest was an animated one, the canvass being conducted on both sides with great energy and ability. Mr. Curtin spoke in nearly every county in the Commonwealth, often addressing assemblies in two or three places in a single day. He everywhere attracted large audiences, and created great enthusiasm in his favor, especially among the young men. He was elected by a majority of over thirty-two thousand votes, much larger than the most sanguine of his friends had anticipated, considering that his immediate predecessor, of opposite politics, had been chosen by a large majority. The struggle had been intensified by the fact that a Presidential election was to follow in less than a month, and Pennsylvania was regarded as the battle-ground where the contest was to be decided. After the gubernatorial decision had been pronounced, there was no longer any doubt about the result in November, the choice of Mr. Lincoln being generally conceded.

Governor Curtin was called to the Gubernatorial chair at a time when the gravest problems ever presented to American statesmanship were to be solved. The geographical position of the State added to its overshadowing political importance, made the duties of the Executive peculiarly responsible and perplexing. Separated from the Slave States by a merely imaginary line, and looked to from both the North and the South, to exhaust its great moral and political power to avert war, every expression from its government was awaited with profound interest. It was under such circumstances that Governor Curtin was called to speak for Pennsylvania in his inaugural address of January, 1861. He spoke with words of deliberation, decision, and wisdom, and made a record of statesmanship that stood the severe test of years of bloody

and wasting war. The conflict obliterated old and sacred landmarks in political teaching; but the relations of the States to each other, and the duties of patriotism as proclaimed by him in his first official utterance, remain unchanged, and are indorsed throughout the North. In that address he said: "No one who knows the history of Pennsylvania, and understands the opinions and feelings of her people, can justly charge us with hostility to our brethren of other States. We regard them as friends and fellow-countrymen, in whose welfare we feel a kindred interest; and we recognize in their broadest extent all our constitutional obligations to them. These we are ready and willing to observe, generously and fraternally in their letter and spirit, with unswerving fidelity.

"Ours is a national government. It has within the sphere of its action all the attributes of sovereignty, and among these are the right and duty of self-preservation. It is based upon a compact to which all the people of the United States are parties. It is the result of mutual concessions, which were made for the purpose of securing reciprocal benefits. It acts directly on the people, and they owe it a personal allegiance. No part of the people, no State, nor combination of States, can voluntarily secede from the Union, nor absolve themselves from their obligations to it. To permit a State to withdraw at pleasure from the Union, without the consent of the rest, is to confess that our Government is a failure. Pennsylvania can never acquiesce in such a conspiracy, nor assent to a doctrine which involves the destruction of the Government. If the Government is to exist, all the requirements of the Constitution must be obeyed; and it must have power adequate to the enforcement of the supreme law of the land in every State. It is the first duty of the national authorities to stay the progress of anarchy and enforce the laws, and Pennsylvania, with a united people, will give them an honest, faithful and active support. The people mean to preserve the integrity of the national Union at every hazard."

Again, on the 30th of April, when the Legislature met in

extraordinary session in obedience to his proclamation, to provide for the public defence, he said: "The time is past for temporizing or forbearing with this rebellion, the most causeless in history. The North has not invaded, nor has she sought to invade a single guaranteed right of the South. On the contrary, all political parties, and all administrations, have fully recognized the binding force of every provision of the great compact between the States, and regardless of our views of State policy, our people have respected them. To predicate a rebellion, therefore, upon any alleged wrong, inflicted or sought to be inflicted upon the South, is to offer falsehood as an apology for treason. So will the civilized world and history judge this mad effort to overthrow the most beneficent structure of human government ever devised by man.

"The leaders of the rebellion in the cotton States which has resulted in the establishment of a provisional organization, assuming to discharge all the functions of governmental power, have mistaken the forbearance of the general Government; they have accepted a fraternal indulgence as an evidence of weakness, and have insanely looked to a united South, and a divided North to give success to the wild ambition that has led to the seizure of our national arsenals and arms; the investment and bombardment of our forts, the plundering of our mints, has invited piracy upon our commerce, and now aims at the possession of the National capital. The insurrection must now be met by force of arms; and to re-establish the Government upon an enduring basis, by asserting its entire supremacy; to re-possess the forts and other Government property so unlawfully seized and held; to insure personal freedom and safety to the people and commerce of the Union in every section, the people of the loyal States demand, as with one voice, and will contend for, as with one heart; and a quarter of a million of Pennsylvania's sons will answer the call to arms, if need be, to wrest us from a reign of anarchy and plunder, and secure for themselves and their children, for ages to come, the perpetuity of this Government and its beneficent institutions."

The concluding paragraph of his message is in the following truly eloquent and patriotic language:

"You meet together at this special season, surrounded by circumstances involving the most solemn responsibilities; the recollections of the glories of the past, the reflections of the gloomy present, and the uncertainty of the future, all alike call upon you to discharge your duty in a spirit of patriotic courage, comprehensive wisdom, and firm resolution. Never in the history of our peace-loving Commonwealth have the hearts of our people been so stirred in their depths as at the present moment. And I feel that I need hardly say to you that, in the performance of your duties on this occasion, and in providing the ways and means for the maintenance of our country's glory and our integrity as a nation, you should be inspired by feelings of self-sacrifice kindred to those which animate the brave men who have devoted their lives to the perils of the battle-field in defence of our nation's flag.

"Gentlemen, I place the honor of the State in your hands. And I pray that the Almighty God, who protected our fathers in their efforts to establish this our great constitutional liberty — who has controlled the growth of civilization and Christianity in our midst, may not now forsake us; that He may watch over your counsels, and may, in his Providence, lead those who have left the path of duty, and are acting in open rebellion to the Government, back again to perfect loyalty, and restore peace, harmony, and fraternity to our distracted country."

In the meantime communication between the loyal States and the National capital had been cut off by the revolt in Baltimore. The portion of troops required from Pennsylvania under the President's proclamation of the 15th of April had been promptly furnished, and many more were offering their services. General Patterson, who had been assigned to command in the State, by reason of the interruption of communication with his government and chief, called upon Governor Curtin for twenty-five thousand additional troops. He at once issued his proclamation, and the response surpassed

all expectation. From every part of the State men came singly, in squads and in companies, and the requisition was in rapid process of being filled, when, upon the re-opening of communication through Baltimore with Washington, an order was received from the Secretary of War, revoking General Patterson's requisition, for the reason, as stated, that the troops were not needed, and that less than the number already called for would be preferred to an excess.

But Governor Curtin better understood the magnitude of the impending conflict, and he resolved to prepare for it according to his appreciation of the public danger. With a long line of southern border exposed to the sudden incursions of the enemy, and the National army composed of only three-months' men, and likely even with these to be outnumbered in the field, he determined not to rely upon the mistaken conceptions of the National authorities for the protection of the State. Thousands of men were already in camp, or were on their way, their services having been accepted, when the order of revocation was received. Governor Curtin, instead of disbanding them, directed that they preserve their organization, and immediately applied to the Legislature for authority to form a corps of thirteen regiments of infantry, one of cavalry, and one of artillery, to be organized and equipped by the State, to be subject to the call of the National Government if needed, and to be at all times in readiness for immediate service. The requisite authority was granted, though not without opposition from those who sympathized in the opinions of the Washington authorities that the danger would be soon passed, and the result was the organization of the afterwards famous *Pennsylvania Reserve Corps*. Before its formation was entirely completed, the wisdom and patriotism of the Governor in recommending it were vindicated; for there came from the Secretary, who a few weeks before had refused to sanction the raising of more troops because they were not needed, a pressing appeal to have the Reserves sent forward with all possible dispatch to the capital; and when before the disasters at Bull Run the

nation stood appalled, and the capital was exposed to the attacks of the enemy, Pennsylvania had a military force well organized and equipped for the field to march at once to strengthen and reinspire the Union Army.

The reputation of the State for promptness in furnishing troops when called for by the National Government, was thus maintained throughout the entire period of the struggle. While thus zealous in the nation's cause, he was mindful also that Pennsylvania was an empire in itself, and that its vast wealth and resources were constantly tempting the enemy to devastate it. He never asked that the armies in the field should be diminished to protect the State, or maintain its authority; but while promptly forwarding troops to the front as fast as called for, he was always anxious to raise forces for local protection in addition to these. In 1864 he had just completed the organization of five thousand men for the defence of the southern border; but the disasters which overtook General Hunter in the upper Shenandoah Valley rendered necessary that they should be sent to the relief of his shattered army. The border being thus stripped of defenders, the enemy made a sudden incursion and laid in ruins the town of Chambersburg.

Governor Curtin's administration was likewise conspicuous for the beneficent and merciful policy adopted to temper the terrible scourge of war. He was ceaseless in his devotion to the interests and the wants of those whom the State had given for the national defence. He went to the field, and visited them in their camps, — not with pomp and ceremony, but to encourage them by personal intercourse. In the hospital he solaced the dying, gave words of hope to the wounded and suffering, and bore messages of affection to and from loved ones at home. No letter from a soldier at the front, whether officer or private, was ever received without being promptly answered. It mattered not how impossible was the request, if it could not be granted, the reason of the refusal was kindly told. In every time of suffering and discouragement the soldier felt that he who represented the power and

majesty of the Commonwealth at home was mindful of him. Wherever were sickness, or wounds, or death, there was the official agent of the State to perform every duty to the living and the last rites to the dead. The bodies of the deceased were brought back to sleep with their kindred, and their names enrolled in the lists of the martyred patriots.

Nor was the solicitude of the Governor confined to the soldier. He beheld his family broken, and left without support and protection by his death. The desolate hearthstone and the moans of the bereaved excited his sympathy, and he applied himself vigorously to the originating of a system of care and instruction for the orphans of the fallen slain, which should make the State their guardian and supporter until of sufficient age to provide for themselves. He was successful in his humane and patriotic endeavors. The Legislature gave an attentive ear to his appeals, and has voted liberally millions of money for this worthy object. The fruits of this expenditure will be most abundant. A body of well-instructed and morally trained young men and women will be given to the Commonwealth, instead of an equal number of the offspring of ignorance and want, which would almost inevitably have been the result had they been left to neglect. Besides, it was a just debt which the State owed to the brave men who had fallen in its defence that their children should be cared for at its expense.

At the laying of the corner-stone of one of the institutions established for their education, that at McAllisterville, presided over by Colonel George F. McFarland, himself a maimed soldier, one of the speakers on that occasion said: "Amid the vicissitudes of the camp, and the march, and the carnage of the battle-field, many of them fell never more to return to their homes, to their friends, and to their once happy families. The children of many of these fallen patriots were left without either father or mother, and often with no one to care for or protect them. Ignorant of a mother's love, and robbed of a father's tender care, the cry of the orphan appealed for pity; and, thanks to a kind Providence, the ear

of one man in Pennsylvania was not heavy. That man was Governor Curtin! He whose sympathies were the first to be touched, and whose generous nature first responded to the cry, was our honored Chief Magistrate. He first conceived the idea of making the orphans of the soldiers the children of the State! And through evil report and through good report, he has clung to that idea with a lion-hearted resolution, until he has seen his plan successfully consummated. For his arduous and patriotic labors during the past six years, and for his many services to the State, the name of Andrew G. Curtin will be illustrious in its annals. But when, in the fulness of his years, he shall be laid in an honored grave, no prouder line will be found inscribed upon his tombstone than this: 'HE MADE THE ORPHANS OF THE SOLDIERS THE CHILDREN OF THE STATE!'"

In 1863, Governor Curtin was, from his arduous labors, broken in health, and was compelled to give himself, for weeks at a time, to the exclusive care of an eminent physician in New York. President Lincoln, appreciating his services, and recognizing the necessity of a change of climate and employment, formally tendered him a first-class Foreign Mission, which the Governor signified his willingness to accept when his term should expire. But in the meantime he was nominated for re-election; and relinquishing his intention of going abroad, he accepted the call of his fellow-citizens, and again entered upon the canvass. Thousands of voters were beyond the limits of the Commonwealth, facing a still defiant foe; but they generally favored the re-election of Governor Curtin; and few letters were dispatched by them to friends at home that did not contain appeals to support the man who was generally known at the front as the "Soldier's Friend." He was re-elected by a majority of over fifteen thousand votes.

In 1864, Governor Curtin was so much reduced by sickness that his life was despaired of; and in November of that year he was ordered by his physicians to spend the severe winter months in Cuba, and thither he sailed. President

Johnson tendered him a Foreign Mission, but he felt that he could not accept it without compromising his position before the people, and he declined. In 1867, he was a prominent candidate for the United States Senate, where a large circle of his friends were desirous of placing him; and in 1868, he was warmly supported for Vice-President in connection with General Grant. Soon after the latter's inauguration, he nominated Governor Curtin for Minister to Russia, and the nomination was promptly confirmed by the Senate. Just before embarking for his new duty he was the recipient of a marked evidence of devotion. The Councils of Philadelphia unanimously invited him to a public reception in Independence Hall, and, in addition, the leading citizens, without distinction of party, united in giving him a banquet at the Academy of Music, that has perhaps never been equalled for elegance and every manifestation of popular affection and applause.

He sailed in June, 1869, and in the discharge of his diplomatic duties he has proven himself one of the most popular representatives which the nation has sent abroad. In the convention of the Liberal Republicans held in Cincinnati in May, 1872, as well as in that of the regular Republican Convention at Philadelphia, shortly afterwards, Governor Curtin had a highly respectable number of delegates who were desirous of nominating him for the Vice-Presidency. In sentiment, Governor Curtin, while adhering firmly to those cardinal doctrines of the Republic, which he believes conducive to personal liberty and equality before the law, and a general government, on the other hand, respected at home and abroad for its inherent strength, nevertheless inclines to a conservative exercise of both prerogative and power.

In person, Governor Curtin is tall and commanding, with a broad, massive head, and deep chest, indicative of great power, blue eyes, and, in youth, chestnut hair. His appearance before a popular audience is inspiring; his eye is lit with the fires of enthusiasm, his nostrils are dilated, and his action bold and commanding, suggesting the model of oratory in the best of the classic days.

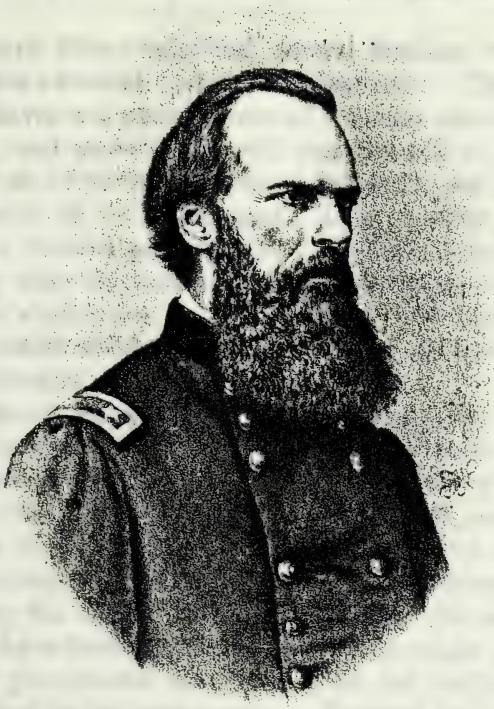
Governor Curtin married Catharine, daughter of William J. Wilson, M. D., of Centre County. They have one son and four daughters. Within a few days past, August, 1872, Minister Curtin, with his family, has returned to this country. His many friends were anxious to accord him a most hearty welcome; but with sorrow they read the announcement flashed over the continent by the electric current, that his health is greatly impaired, and that his physicians have enjoined seclusion and rest.

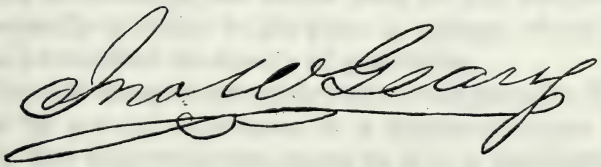
## JOHN W. GEARY.

### GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 15, 1867, *to January* 21, 1873.

JOHN WHITE GEARY, the youngest of four sons, was born near Mount Pleasant, Westmoreland County, Pennsylvania, on the 30th of December, 1819. The family was English and Scotch-Irish, but for several generations his ancestors had enjoyed the privileges and honors of American birth. Richard Geary, his father, a native of Franklin County, received a liberal education, and was a man of refined tastes, amiable disposition, and superior moral excellence. His mother, Margaret White, was born in Washington County, Maryland, and was in all respects worthy to be the companion and help meet of her husband. They removed to Western Pennsylvania soon after their marriage, where Mr. Geary's attention being directed to the mineral wealth of that section, he was induced to engage in the manufacture of iron. This business, which has always been attended with serious risks, was much more precarious then than now; and, like many of the iron manufacturers of that period, he was unsuccessful, lost the whole of his original investment, and after resigning everything into the hands of his creditors, was left under pecuniary liabilities, which he was unable to discharge. In this trying situation he fell back upon the resources of his early education, and opened a select school in Westmoreland County. The remainder of his life was there devoted to a profession at all times honorable, and imposing the gravest responsibilities, but seldom lucrative; and from his previous failure in business, he died insolvent, leaving his family entirely dependent upon their own exertions for support.







In the midst of their bereavement, they were, however, consoled by the remembrance that he whom they mourned had led a life of integrity and virtue, and had thus bequeathed an inheritance compared with which silver and gold are but as dross.

Mrs. Richard Geary inherited several families of slaves, whom she first educated and then manumitted. The manumission of slaves was not an event of frequent occurrence at that period; and more rarely still was the gift of freedom preceded by an education that would enable its recipients to make the most of its advantages. This incident, though probably not deemed noteworthy at the time, became suggestive, long after the mother had gone down to her grave, of the source whence her distinguished son drew that love of liberty and justice which has ever been one of the most prominent characteristics of his eventful life.

Being himself possessed of liberal culture, it was the earnest desire of the father that his sons should receive a collegiate education. Prompted by parental love, every sacrifice possible was made to compass this end; and, after passing the usual course of preliminary studies, the youngest son was entered a student of Jefferson College, at Canonsburg, Pennsylvania. By the sudden death of the father, the career of the son was for a time interrupted. That he might suitably protect and provide for his mother, he left college, and opened a school on his own account. Favored by the smile of Providence in his self-sacrificing course of filial duty, he was enabled to discharge the sacred trust he had assumed, and subsequently to return to his place in college, where in due course he received the honors of graduation.

For a time his thoughts turned to commercial pursuits; but convinced by a short experience in a wholesale house in Pittsburgh that this would not prove to him a satisfactory sphere of life, he yielded to his natural predilections for mathematics, and applied himself to the study of Civil Engineering. Having mastered the principles of that profession, he commenced the study of the law, in the belief that

it would increase the chances of a successful career, and was admitted to the bar, though intending to adopt engineering as his fixed vocation. With this end in view he went to Kentucky, where he was engaged, partly in the employ of the Commonwealth, and partly in that of the Green River Railroad Company, to make a survey of several important lines of public works. The compensation for these services, with the success of a small land speculation, enabled him to execute a long-cherished, but undisclosed purpose of his heart. When he returned from Kentucky he laid in the lap of his mother a sum of money sufficient to discharge the whole amount of his deceased father's indebtedness; and then for the first time revealed to her what had always been his fixed intention.

His success in the Southwest opened the way to advancement in his native State; and he soon after became Assistant Superintendent and Engineer of the Alleghany Portage Railroad. While occupied with the duties of this position, events were maturing that were soon to thrill the heart of the nation, and to test the character of many of its sons. In the month of May, 1846, President Polk sent a message to Congress, informing that body that "war existed with this country by the act of Mexico," and asking for men and money to enable him to maintain the rights and vindicate the honor of the Government. The burst of enthusiasm was instantaneous and general. Possessing naturally the military instinct, and actuated by the patriotic impulse of the hour, Geary was among the first who responded to the call for volunteers, and in a short time raised a company in Cambria County, to which he gave the name of *American Highlanders.* At Pittsburgh, his command was incorporated with the Second Pennsylvania Regiment, commanded by Colonel Roberts, of which he was immediately elected Lieutenant-Colonel. The regiment joined the army of General Scott at Vera Cruz, and served with conspicuous gallantry in Quitman's division during the memorable advance upon the Mexican capital. Lieutenant-Colonel Geary's first experience of actual war was

in the partial, though spirited, action of the Pass of La Hoya. In the storming of Chapultepec he was wounded; and in the assault upon the immediate defences of the city, at the Garita de Belen, he again led his regiment with so much judgment, coolness, and intrepidity, that, upon the capture, he was assigned to the command of the great citadel as a mark of Quitman's appreciation of his services. From the time when the army entered the valley of Mexico, Colonel Roberts was disqualified for duty by sickness, and the command of the regiment devolved upon the Lieutenant-Colonel. Shortly after the surrender of the capital, Colonel Roberts died, and Lieutenant-Colonel Geary was elected to succeed him. The duties of his command were discharged with entire satisfaction to its officers and men. During the homeward march discipline was strictly preserved; and when the troops and their commander separated at Pittsburgh, the parting was attended with many signs of deep feeling and expressions of mutual esteem and regret.

On the 22d of January, 1849, President Polk, in grateful recognition of his services in the Mexican War, appointed Colonel Geary Postmaster of San Francisco, and Mail Agent for the Pacific coast, with authority to create Post Offices, appoint Postmasters, establish mail routes, and make contracts for carrying the mails throughout California. Having received his commission, with his customary promptness, he returned to his home in Westmoreland, closed up his business, and, on the 1st of February, in company with his wife and child, sailed from New York for the Pacific coast. On the 1st of April, but a little more than two months from the date of his commission, he landed safely at San Francisco, and entered at once upon the discharge of his duties. For a time he was obliged to content himself with the rudest accommodations, and to perform his work under many disadvantages. But here, as in all previous situations, his methodical turn and practical tact soon enabled him to improvise all needful facilities, and brought the labors of the office under an easy and expeditious management. Scarcely, however, had these

arrangements been perfected, when he learned that General Taylor, Mr. Polk's successor in the Presidency, had appointed Jacob B. Moore to the position which he had so briefly but efficiently occupied.

The intelligent and obliging dispatch with which Colonel Geary had discharged his duties as Postmaster and Mail Agent so won the confidence and esteem of the people of San Francisco, that when the time arrived for the election of town officers, he was unanimously chosen First Alcalde, though there were ten different tickets submitted to the choice of the voters. This was only eight days after his removal from the office of Postmaster. Shortly afterwards, this mark of appreciation, on the part of the citizens, was followed by another equally flattering on the part of the Military Governor of the Territory, Brigadier-General Riley, who appointed him Judge of First Instance. These offices were of Mexican origin, and they imposed onerous and important duties. The Alcalde was Sheriff, Probate Judge, Recorder, Notary Public, and Coroner. The Court of First Instance exercised both civil and criminal jurisdiction throughout the city, and besides this, adjudicated all those cases arising under the port regulations which usually fall within the cognizance of Courts of Admiralty. In fact, Judge Geary was, by virtue of his double function, general curator of the public, and did nearly everything that was to be done either in the department of civil or criminal business. For a considerable length of time he was the sole magistrate, and officiated as such until the rapid increase of business obliged him to request the appointment of an assistant, when W. B. Almond was created Judge of First Instance, with civil jurisdiction only. In the discharge of the manifold duties of his judicial office, Judge Geary was eminently successful. Of twenty-five hundred civil and criminal cases tried by him, not more than a dozen appeals were taken from his decision, and none of these were sustained. At the close of his first term he was re-elected, receiving all but four votes of the whole number cast, and continued in office until the Mexican institutions

were superseded by the American forms of municipal government.

In a vote upon the first city charter and for officers to serve thereunder, taken May 1st, 1850, Judge Geary was elected first Mayor of San Francisco by a large majority. As Mayor, he rendered valuable service in perfecting the municipal organization; in restraining the tendency to extravagant expenditure of the public funds; sustaining the city's credit by judicious management of its finances; and by an honest disposal of the public property saved to the corporation many millions of dollars. The result was that, as his official term drew to a close, the Mayor received a communication, numerously signed by business firms and influential citizens of all political parties, requesting that he would consent to be a candidate for re-election. But for urgent personal reasons he felt himself obliged to decline their request. He was prevailed on, however, to accept a place on the Board of Commissioners, which had been created by the Legislature for the management of the public debt of the city, and served as its President. In this position the measures he suggested tended to establish confidence in the city's securities, and assure creditors that it would keep its plighted faith.

On the 1st of September, 1849, a convention of delegates assembled at Monterey to form a State Constitution. The body included the best talent and ripest political experience of the Territory. In the brief period of six weeks its important work was completed. Colonel Geary was not a member of the Convention, but occupied such a position in the eye of the public, and held such relations to the Democratic party, as enabled him to exercise a potent influence upon its deliberations. How he exerted that influence is well known. As Chairman of the Democratic Territorial Committee, he was instrumental in securing the *free State clause* in the Constitution, and the reference of that instrument to the people for their sanction. The triumph thus achieved secured California to the Union as a free State, and warding off the nightmare of slavery, confirmed to that young and prosperous

Commonwealth the boon of perpetual freedom. The failing health of Mrs. Geary induced her husband to return to the Atlantic States sooner than he had anticipated. On the 1st of February, 1852, he sailed from San Francisco, intending to go back and remain permanently in California; but the death of his wife, and other circumstances unforeseen, caused him to change his purpose, and gave a new direction to his whole course of life.

Soon after abandoning his design of making his home on the Pacific coast, he embarked largely in farming and rearing of stock in his native county. These were pursuits in which he had always felt a lively interest, and when the opportunity at last presented itself for the gratification of his tastes, he entered into his new sphere with a purpose never to abandon it. But man's ways are often not of his own choosing. After having spent about three years in retirement, and had in a measure brought the condition of his farm into conformity with his own ideal of what such an estate should be, President Pierce invited him to Washington for the purpose of tendering to him the Governorship of Utah, which, after due acknowledgment of the compliment, he respectfully declined.

Not the government of Utah but of Kansas was the great problem of Mr. Pierce's administration. A bloody civil strife was being waged in that Territory, and the political state of the whole country was convulsed on the subject of its affairs. One Governor had been removed for refusing to conform strictly to the Federal policy in regard to slavery, and another was preparing to flee from the Territory through fear of assassination. In view of the pressing exigency, the thoughts of the President reverted to Colonel Geary; and summoning him by despatch to the Executive Mansion, he, in a long interview, set before him the state of affairs in Kansas; and appealing to him on the grounds of patriotism and of personal friendship, urged him to accept the Governorship of the Territory. The Colonel frankly stated what were his personal wishes and his plans for life, and begged

that he might be excused from accepting a trust involving such grave responsibilities. But the President, answering his personal pleas by considerations of public duty, finally prevailed.

Colonel Geary was commissioned Governor of Kansas in July, and proceeded immediately to his new field of labor, arriving at Fort Leavenworth on the 9th of September, 1856. His administration extended only from that date to March, 1857. He found the Territory in arms. On the one hand was a party utterly reckless and violent, intent upon the triumph of their policy, in defiance alike of the Acts of Congress and the laws of their Territory; on the other, a party not altogether lawless, but equally determined to maintain their rights as citizens of the United States and of the Territory of Kansas. The situation was sufficiently embarrassing and deplorable in itself; but the difficulties which the Governor was required to meet and overcome were greatly increased by the fact, that the sympathies and co-operation of the people of Missouri were fiercely enlisted in behalf of their Kansas pro-slavery brethren, and that the Legislature and the United States Judges of the Territory were committed to the same side. In the conflict between the two parties, voters had committed perjury, houses had been burned, crops destroyed, churches desecrated, women outraged, men murdered, and battles fought. Those scenes of violence foreshadowed fearful days!

The new Governor was not long in ascertaining the true state of affairs, nor in deciding upon his course of action. Upon arriving at Lecompton, he said to the citizens there assembled: "I appear among you as a stranger to most of you, and for the first time have the honor to address you as Governor of the Territory of Kansas. The position was not sought by me, but was voluntarily tendered and pressed upon my acceptance by the Chief Magistrate of the nation. I am here because, as an American citizen, deeply conscious of the blessings which flow from our beloved Union, I did not feel myself at liberty to shrink from any duties, however

delicate and onerous, required of me by my country. With a full knowledge of the circumstances surrounding the Executive office, I have deliberately accepted it; and, as God may give me ability, I will endeavor to faithfully meet its varied requirements. The Constitution of the United States and the Organic Law of the Territory will be the lights by which I shall be guided in my official action." The same just and patriotic sentiments pervaded his first message to the Territorial Legislature. "I will," said he, "administer equal and exact justice to all men of whatever political or religious persuasion."

Acting upon these principles of right, the Governor's policy was quickly productive of the happiest results. The pro-slavery party, expecting his active sympathy, violently denounced his impartiality. The anti-slavery party, smarting under the sense of their wrongs, accused him of excessive leniency toward their enemies. But he firmly refused to incline to either side, and by the exercise of a vigilant and strong authority, managed to restrain both factions, and bring them within the bounds of law and order. The armies which he found facing each other were disbanded and sent to their homes. The courts were regularly convened; the laws were duly enforced; life and property were adequately protected. In less than one month from the day on which he assumed the Executive functions, he was enabled to address the Hon. William L. Marcy, Secretary of State, in the following terms: "Peace now reigns in Kansas. Confidence is being gradually restored. Citizens are resuming their ordinary pursuits. Settlers are returning to their claims, and general gladness pervades the community." Thus was the state of things realized which the Federal authorities at Washington hoped for at the time of his appointment. It was expected, however, that peace would be restored to the Territory in such a manner as would insure the ascendency of the pro-slavery party, and the admission of the Territory into the Union as a Slave State. But Governor Geary could not comprehend how the Organic Act could be made to bear a construction which

would inevitably produce that result; nor how, in view of his oath, he could be a party to such an issue without first committing perjury. He accordingly followed the line of the law. Under the protection of the law, anti-slavery immigration rapidly increased, and anti-slavery sentiment grew stronger every day. It was soon perceived in the pro-slavery circles, both of Lecompton and Washington, that if he continued in the office of Governor, Kansas would be lost to slavery forever. Applications were therefore poured in upon the President from the Territory for his removal. Had Mr. Pierce remained, he would doubtless have listened and consented. But his term had expired, and James Buchanan had succeeded to the Chief Magistracy. The Governor well knew the character of the new President, and what would be his policy. Accordingly, on the very day of his inauguration, he forwarded to him the following letter of resignation:

"EXECUTIVE DEPARTMENT, KANSAS TERRITORY,
LECOMPTON, March 4, 1857.

"HIS EXCELLENCY, JAMES BUCHANAN,
*President of the United States:*

"Dear Sir:—Please accept my resignation as Governor of Kansas Territory, to take effect on the 20th of the present month, by which time you will be enabled to select and appoint a proper successor.

"With high respect, your friend and obedient servant,
JOHN W. GEARY."

The fatal project of disunion by force of arms was now being carefully matured by leading Southern men. The opportunity was regarded as in every way auspicious. Discerning minds on the opposite side in the great struggle clearly saw that the crisis was approaching, and by a powerful appeal to the country succeeded in carrying the impending Presidential election in the interests of freedom. The South, feeling that the decisive moment had come, declined

to give Mr. Lincoln a trial, or even to wait for his inauguration.

Any one who knew the principles and character, the private and public antecedents of Governor Geary, could not for a moment doubt as to which side he would take in the gigantic conflict thus precipitated upon the country. He was at his farm in Westmoreland when the sound of the rebellion's first gun broke upon the ear of the nation. Early on the morning following the eventful day, he drove his farm-wagon to the neighboring village, and there first heard the news of the assault upon Fort Sumter. In less than an hour after reading the telegram he had opened an office for the enlistment of volunteers. As soon as he could communicate with the President, he tendered his services, and was immediately commissioned Colonel, with authority to raise a regiment for the defence of the Union. In the course of a few weeks he received applications from sixty-six companies, soliciting permission to join his command. On account of the numerous and urgent appeals, he was permitted to increase his regiment to fifteen companies, with one battery of six guns, making the full complement to consist of fifteen hundred and fifty-one officers and men. The artillery company was that which subsequently became so celebrated as *Knap's Battery.*

As soon as the equipment of his command was completed, Colonel Geary received orders to proceed to Harper's Ferry, and report to General Banks, by whom he was assigned to the duty of guarding with his regiment twenty-one miles of the Potomac river. While engaged in securing a quantity of wheat from the enemy's hands near Harper's Ferry, he was attacked, on the 16th of October, 1861, by a force of upwards of five thousand men, with seven guns, under Generals Ashby and Evans, and with a force of only one thousand men and four guns repulsed them. In this battle, known as that of Bolivar, the Colonel was wounded in the right knee. It was the first fight of the regiment, but the men acted with great gallantry and succeeded in capturing one gun from the enemy.

Colonel Geary was given the advance of the corps in a forward movement made in the following spring. On the 8th of March he captured Leesburg, and led the van of the column which subsequently obliged the Confederate forces to evacuate all the towns north of the Rappahannock, and abandon their strongholds at Snicker's, Ashby's, Manassas, and Chester Gaps, in the Blue Mountains. These operations were effected while Stonewall Jackson was within striking distance near Winchester; and for his share in them, Colonel Geary was promoted to the rank of Brigadier-General, his commission bearing date of April 25th, 1862. The greater part of the time that he held the rank of Colonel he had commanded a brigade, and immediately upon his promotion he was assigned to the command of the First Brigade, Second Division, Second Corps, General C. C. Augur being Division commander, and Major-General N. P. Banks commander of the corps.

By appointment of the President, on the 26th of June, 1862, Major-General John Pope assumed command of the army of Virginia, consisting of the corps of Fremont, Banks, and McDowell. On the 9th of August, Banks' troops had a severe engagement with Stonewall Jackson's at Cedar Mountain. The day was oppressively hot, and the Union troops suffered much from exhaustion, but still more from the fierce and well-directed assaults of that great commander. General Geary was wounded slightly in the left foot and severely in the right arm. The battle was gallantly contested, but the results were adverse to the Union arms.

The wound in the arm proved so serious, that, to save the limb from amputation, he was ordered home for treatment. At the close of this campaign, General Banks was transferred to the command of the Department of the South, General Slocum succeeded to the command of the Twelfth Corps, and General Geary was promoted to the command of the Second Division.

The Twelfth Corps did not participate in the battle of Fredericksburg. Shortly after his defeat in that engagement,

General Burnside was relieved of the command of the army of the Potomac, at his own request, and was succeeded by General Hooker.

The balance of the winter and the first weeks of spring were spent in bringing the army to a state of efficiency, and in forming a comprehensive plan of campaign. Having crossed the Rappahannock and Rapidan, on the 1st, 2d, and 3d of May, Hooker gave battle to Lee at Chancellorsville. General Geary was wounded in the breast by a fragment of shell, and the killed, wounded, and missing of his Division, during the three days, amounted to one thousand two hundred and nine men. Five battle-flags were captured, and a loss exceeding its own was inflicted upon the enemy. After the battle the Division went into camp at Acquia, where it remained until Lee's invasion of Pennsylvania summoned its commander to the defence of his native State.

The battle of Gettysburg was fought on the 1st, 2d, and 3d of July. The troops of Geary's division were among the first of the corps to arrive at the scene of action. On the 1st, General Geary, suggesting the importance of possessing Round Top, was directed to occupy it with a portion of his command. Early on the morning of the 2d he was ordered to Culp's Hill, the extreme right of the Union line, with instructions to hold his position at every hazard. During the afternoon of that day he was remanded in the direction of Round Top, with a part of his division, to strengthen the left centre of Meade's line, which, being hard pressed, was in danger of giving way. As soon as the relief he brought could be spared, he hastened back to Culp's Hill, and on his arrival, at about 9 o'clock at night, he found that in his absence the enemy had carried a part of his line, and flanked the position which he had received orders to hold. Suitable dispositions were made during the night to meet the emergency; and at 3 o'clock on the morning of the 3d, placing himself at the head of his Division, he charged the enemy, recovered the ground that had been lost, hastily strengthened his line of breastworks, and awaited the return of Ewell's

veterans. The maintenance of the position was of the utmost moment, for it commanded the Baltimore turnpike, on which the supply and ammunition trains of the army were parked, and had it been lost, these would have been captured, the rear of Meade's centre would have been gained, and general defeat must have inevitably followed. No one comprehended the value of the position better than the rebel commander. Hence the furious assaults that were made upon it with the hope of seizing the last chance of victory. During seven hours the enemy shelled Geary's lines almost incessantly, and, under cover of his batteries, made repeated attempts to carry the Hill at the point of the bayonet. But the charges were as gallantly repulsed as they were made, the batteries were silenced, and the enemy withdrew to join the general retreat which followed the close of the day. As long as the grove of battle-scarred trees that covers Culp's Hill shall be left standing, the gallant sons of New York, Ohio, and Pennsylvania, comprising Geary's Division, will not lack testimonials of their heroic devotion to the honor of the Union and integrity of their country. Twelve hundred Confederate dead were buried in front of Geary's lines the day after the battle.

After Gettysburg came Chickamauga. The defeat of Rosecranz in that battle made it necessary to reinforce the Army of the Cumberland, and for that purpose the 11th and 12th Corps, under General Hooker, were detached from the Army of the Potomac. Geary's division went with the 12th Corps. Besides these troops, others were hurried forward to the scene of the late disaster; and Grant, having laid Vicksburg in the dust, and re-opened the Mississippi, now, by order of the President, hastened to the mountains of the Tennessee, and assumed command. He immediately initiated a series of movements designed to dislodge Bragg from the formidable position which he had gained. In pursuance of his masterly plan a battle was fought at Wauhatchie on the 28th of October, 1863; another at Lookout Mountain on the 24th of November; one at Mission Ridge on the 25th of November, and a fourth on the 27th of November at Ringgold,

in the State of Georgia. These battles, fought and won in rapid succession, were the principal achievements of Grant's Chattanooga campaign, in the course of which the disasters of Chickamauga were gloriously retrieved, and Bragg, hurled from heights which he had deemed inaccessible, was driven across the Tennessee line.

The historian will ever associate the name of General Geary with the great events of this brilliant campaign. With fifteen hundred men of his Division, he, unaided, fought the battle of Wauhatchie, repulsing a night attack by one of Longstreet's divisions, at least six thousand strong. From his position on Lookout Mountain the enemy had observed the movements of the command during the day, and at midnight dashed down upon it, confidently anticipating a surprise and a capture. But knowing the enemy to be in his vicinity, Geary had pitched his camp in order of battle. The troops slept on their arms, and were on their feet and in line the moment the Rebels had discharged their first volley. The General had not slept at all, and with his horse saddled at the door of his tent, was quickly at the front to direct and animate the troops. The conflict lasted seven hours, and was unusually obstinate and bloody. The artillery horses were all killed or disabled. Every officer of the staff was wounded. Captain Edward R. Geary, a youth of eighteen, the General's oldest son, commanding a section of Knap's Battery, was pierced by a rifle-ball through the forehead, and fell dead in his father's presence. When the day dawned the enemy had retreated, leaving behind him one hundred and fifty-seven killed, about an equal number of prisoners, and five hundred stands of arms. General Slocum, commander of the Corps, was at Murfreesboro, and writing to General Geary a few days subsequent to the battle, said: "I am very happy to hear the good reports which reach me from all sides, relative to the conduct of your command in the recent action. The contest was one of very great importance. The highest credit is awarded to you and your command, not only by General Thomas, but by all officers conversant

with the circumstances. As I was not with you, I can claim no portion of the credit gained, nor can I, with good taste, publish an order expressing thanks to you; but I wish you and your command to know that I have been informed of all the facts in the case, and that I feel deeply grateful for the gallant conduct which has won new laurels for our Corps." General Hooker, also, in an official report to the General-in-Chief, said: "During these operations a heavy musketry fire, with occasional discharges of artillery, continued to reach us from Geary. It was evident that a formidable adversary had gathered around him, and that he was battering him with all his might. For more than three hours, without assistance, he repelled the repeated attacks of vastly superior numbers, and in the end drove them ingloriously from the field. *At one time they had enveloped him on three sides, under circumstances that would have dismayed any officer except one endowed with an iron will and the most exalted courage.*"

As the enemy's position on Lookout Mountain and Mission Ridge threatened the communications of the Federal army, it was decided to drive him from them. On the 24th of November, Geary's Division was selected by General Hooker to make an assault upon Lookout. In an hour after the order was received the troops were in motion. Crossing Lookout Creek, the Rebel pickets were surprised and captured; and moving enthusiastically over boulders and ledges of rocks, they advanced in the face of a murderous fire until they had rounded the rugged peak and stood beneath the lofty palisades. The contest at the top was sharp but decisive. As the mist which enshrouded the mountain cleared away, the troops in the valley were for the first time enabled to discern the position of their comrades, and the stars and stripes, with the well-known white-star flag of the Second Division floating in the morning breeze from the beetling cliff, announced the victory. The trophies of the battle were six flags and two pieces of artillery, with over two thousand prisoners. On the 29th, General Grant, desiring to see the troops that fought the *Battle above the Clouds*, rode over to Geary's camp in Wau

hatchie Valley, and reviewed his Division. The General-in-Chief, as a compliment to these brave men, brought with him the members of his staff and all the Generals of the combined armies of the Cumberland and the Tennessee. In the battles of Mission Ridge and Ringgold, which closed the campaign, the Division took a conspicuous part.

On the 3d of December, General Geary issued a general order to the troops of his division. Referring to the battles of the campaign in which they had participated, he said: "For these services I tender you my heartfelt thanks; for your bravery and endurance my warmest congratulations; for your bereavement in the loss of so many gallant comrades my sincere sympathy. In all the Division death could not have selected braver spirits, nobler hearts, than those who have laid their lives a sacrifice upon their country's altar in the recent engagements. Your gallant conduct has gained for you the highest appreciation and esteem of the commanding Generals of the army. It behooves us to remember prayerfully that the hand of the Almighty is visible in our late victories, and that He who holds in His hands the destinies of nations, has, in His goodness, answered the humble petitions that have ascended to His heavenly throne for the triumph of our arms in the cause of our beloved country."

In the spring of 1864 the Army of the Southwest was reorganized; and Grant, having been invested with the rank of Lieutenant-General, and appointed commander-in-chief, Sherman assumed command of all the forces designed to operate in the Southwestern and Southern States. Among other changes which he ordered, the 11th Corps (Howard's) and the 12th (Slocum's) were consolidated, becoming in this form the 20th Corps, with General Hooker in command. General Geary was continued at the head of his old Division, with the addition of a brigade from the 11th Corps. The two great campaigns of this memorable year were opened on the same day. On the 4th of May Grant moved from the Rapidan to encounter Lee, and Sherman from Chattanooga to encounter Johnston. Sherman's army was complete in all

its appointments, and about seventy thousand strong. The events that followed can but briefly be referred to here. At the head of the division to which he was endeared, and which was endeared to him by so long a companionship in perils, hardships, sacrifices, and sufferings, Geary participated in the battles of Mill Creek, May 8th; Resaca, May 15th; New Hope Church, commencing May 26th, and continutng with but little intermission eight consecutive days; Pine Hill, June 15th; Muddy Creek, June 17th; Noses Creek, June 19th; Kolb's Farm, June 22d; Kenesaw, June 27th; Marietta, July 3d; Peach Tree Creek, July 20th; and the siege of Atlanta, lasting twenty-eight days, and ending in the capture of the city on the 2d of September. To use General Geary's own language: "The campaign from the opening till the fall of Atlanta was really a hundred days' fight, and may be termed a continuous battle, crowned with constant victory."

General Sherman, having by these operations reached the objective point of the skilful plans he had formed at Chattanooga, entered at once upon other plans and dispositions. Hood was left to be confronted by Thomas, and Sherman, with one-half of his grand army, swung around upon his pivot at Atlanta, cut loose from his communications, and commenced his famous march to the sea. On the 25th of July, Hooker being relieved from command of the 20th Corps, at his own request, Williams, being senior General of division, succeeded him, Geary still remaining in charge of the Second Division. Charleston, whose defences had defied the Federal fleets, and Savannah, deemed impregnable, were uncovered, and restored to the dominion of the Federal flag. After the fall of Fort McAllister, Geary led the advance upon Savannah, received the surrender of the city at the head of his Division; and, in recognition of his services in the capture, was appointed by Sherman Military Governor. The duties were delicate, but the General exercised his authority in such a manner as to elicit from a public meeting of the citizens presided over by the Mayor the following expression of sentiment:

"*Resolved*, That Major-General Sherman, having appointed Brigadier-General Geary commander of this post, who has, by his urbanity as a gentleman and his uniform kindness to our citizens, done all in his power to protect their persons from insult, and their property from injury, it is the unanimous desire of all present that he be allowed to remain in his present position, and that, for the reasons above stated, the thanks of the citizens are hereby tendered to him and the officers of his command."

It was while he was in command of the city as Military Governor that he was breveted Major-General of Volunteers. His commission was dated January 12th, 1865, and the reasons assigned for his promotion in the document itself were, "*fitness to command and promptness to execute.*"

With this flattering mark of his country's approval, he preferred that the very kind request of the people of Savannah might not be granted, and was accordingly permitted to take the field for the final conflict. During the subsequent operations in the Carolinas, his division was engaged with the enemy at the Apalachee and Oconee rivers, at Sandsboro, Davidsboro, Salkahatchie, North and South Edisto, Red Bank, Congaree, Black River, and Bentonville.

Here, in the vicinity of Goldsboro and Raleigh, the gigantic struggle that saved the republic and gave hope of freedom to the world was brought to a close. The soldiers of the White Star Division witnessed the surrender of Johnston, participated in the grand review at Washington, after which they were disbanded, took affectionate leave of their old commander, and returned to their homes. The 28th Pennsylvania Regiment, which Geary had recruited at the beginning, continued with him to the end of the war. The regiments of his Division were among the first in the army to re-enlist as veterans. No regiment after being assigned to his brigade or division ever left his command till duly mustered out of service. Such satisfaction was by no means a general characteristic of the feelings of the troops toward their commanders. It is easily accounted for in the case of General Geary. He

required obedience, but he set the example. He courted the post of danger in the field, but he led the way. Ten thousand of the men who served under his command were killed and wounded during the war, but he shed his own blood as freely as he expected the same sacrifice of his subordinates. He cared, too, for the health and comfort of his troops as though they were his own children.

When, in the spring of 1866, the Republican leaders began to consider the important question of selecting a candidate for the Chief Magistracy of the State, it soon became apparent that the name of General Geary was everywhere received with favor. His ripe experience in the conduct of civil affairs, and his distinguished services in the field, commended him alike to the gratitude of the popular heart and the sanction of the popular judgment. After a very spirited canvass, he was elected over his competitor, Heister Clymer, by a majority of over seventeen thousand votes.

He was inaugurated on the 15th of January, 1867. What the personal sentiments were with which the duties of his high trust were assumed may be best learned from his own language: "Profoundly sensible of everything that is implied by this manifestation of the people's confidence, and more deeply impressed with the vast importance and responsibility of the office than elevated by its attendant honors, let it be our first grateful duty to return fervent thanksgivings to Almighty God for his constant Providence and innumerable blessings to us as a people; and especially mine to implore His aid and counsel in the discharge of civil trusts, who has been my shield and buckler amidst scenes of peril and death. That in the administration of government I may err is only what should be expected from the infirmities of the human mind; but as I enter upon the discharge of my responsible duties with a firm resolution to act with honesty and impartiality, I trust my errors will be regarded with charity, and treated with the gentleness of magnanimous forgiveness. I earnestly hope that my intercourse with my fellow-citizens of the Senate and House of Representatives will be so frank and

cordial, that our duties to a common constituency will be pleasantly as well as faithfully discharged. Different branches of the government as we are, with distinctive duties, we are, nevertheless, parts of one organized and well-regulated system, and, as we co-operate or disagree, the interests of the State will probably be promoted or retarded. Elected by the people, and desirous to promote the welfare of every citizen, mere party differences should not be allowed to interfere with the maintenance of a generous, just, and comprehensive public policy."

In his first annual message he alluded to the subject of neglect of duty and irregular practices, charged against the Legislature, in terms not to be mistaken; and in his several messages since he has almost invariably returned to it, evincing thus a paramount desire to guard the rights and interests of the people, and protect the character of the government. The suppression of the great evil of special legislation; the just limitation of the powers and privileges of great corporations; the attempt to appropriate the deposits of the sinking fund for purposes foreign to the object for which the trust was created; the disposition of railroad companies to exceed the privileges of their charters; these, and others of similar import, are the grave questions which he has endeavored to meet and adjust with a due regard to the highest welfare of the Commonwealth.

In his messages to the General Assembly he has recommended a vigorous reduction of the State debt; the investment of surplus funds in the State Treasury for the benefit of the State; the adequate compensation of the State Treasurer, and the increase of his bond to such an extent as would oblige his sureties to make good any possible amount of defalcation; the passage of a free railroad law, with a view to checking the spirit of monopoly, the promoting of healthful competition, and the more rapid development of resources; the establishment of an Insurance Department for the more effectual security of such as seek that mode of protection; the calling of a convention to revise and improve

the Constitution of the Commonwealth; the more liberal support and efficient supervision of common schools; the tender and generous care of the families of deceased Union soldiers; the establishment of a home for such of the survivors of the Union armies as find themselves incapable of self-support with the aid of their government pension; the proper encouragement of volunteer militia organizations; the judicious aid of the State Agricultural College; and the assistance of the various public charities in a spirit befitting a people who owe to that Gospel which was first preached to the poor their freedom and their civilization. Some of the evils against which his admonitions were directed have been restrained, and in a degree diminished, if not entirely removed. Some of his most important recommendations have become laws, after due consideration by the General Assembly. The record of his Executive proceedings abounds with vetoes, mainly directed against bills designed to subserve merely local or personal ends, which were already provided for by, or were in obvious conflict with, existing general enactments.

At the expiration of his first term Governor Geary was renominated with a unanimity and a cordiality that bore ample testimony to the success of his previous administration, and, despite numerous circumstances unfavorable to success, was re-elected by a majority of upwards of five thousand votes.

His second term is now drawing to a close, and this is not the time, if the prescribed limits of this sketch would permit, to discuss and determine the merits of his administration. Some of the features are peculiar. For the first time in the history of the office a detailed record has been kept of every act of Executive conduct. This will be left in the archives of the Department. Accompanying each of his annual messages is a full list of pardons granted during the year, with the dates, causes, terms of sentence, the periods served, and the names of petitioners for the exercise of executive clemency. With one exception (Governor Pollock) he has granted fewer pardons, in proportion to the number of convictions, than any

of his predecessors. During the first four years of his administration the reduction of the public debt per annum has been *one million six hundred and forty-eight thousand one hundred and eighty-seven dollars.*

As the reader has observed, the life of Governor Geary has been unusually diversified, and has extended over a field as wide as this great country. In private and subordinate stations, and in public positions of civil and military trust, his career has been marked with unusual, indeed, invariable success. Though still in the prime of life, he has filled a larger measure of service than is the lot of most men who have lived out the full period of human existence.

The intimacy of the author's personal relations to the Governor being known to many, that fact will justify a brief allusion to himself. He enlisted as a private in the 28th Pennsylvania Regiment, when it was first recruited, served in it till its Colonel was promoted, was then appointed as aid-de-camp on General Geary's staff, and continued in that position to the end of the war. Since Governor Geary's first inauguration the author has occupied a confidential position near his person. In the preparation of this sketch, his aim has been to set down nothing in mere friendship; indeed the apprehension that on account of the intimacy of these relations he might be suspected of partiality, has, more than anything else, embarrassed him, and confined his narrative to a statement of facts, which he cannot but regard as bald and unattractive. Deeming himself especially qualified to be a witness, there is one point on which he claims the right to give his testimony, and in doing so he has only to say that, for honesty and fidelity to any trust, whether private or public, committed to him, he has seldom known the equal, and does not expect to find the superior of John W. Geary among the sons of men.

In person, Governor Geary is tall, erect, and well proportioned. He exemplifies the old Roman idea of complete manhood: "A sound mind in a sound body." In manner, he is direct and cordial. There is nothing in his bearing that would embarrass a stranger, however humble; and whether

at the head of an army, or seated in the chair of the Chief Magistrate, he has ever been easily accessible to all classes of applicants for his attention. Power of application, force of will, clearness of perception, and soundness of judgment, are his distinguishing mental characteristics; and his moral nature is so well developed and strong that he has wholly escaped the vices that have destroyed many of the most gifted men. This he has partly inherited from his Puritan ancestors, and partly from the lips of a Christian mother, whose counsels seem never to have been forgotten.

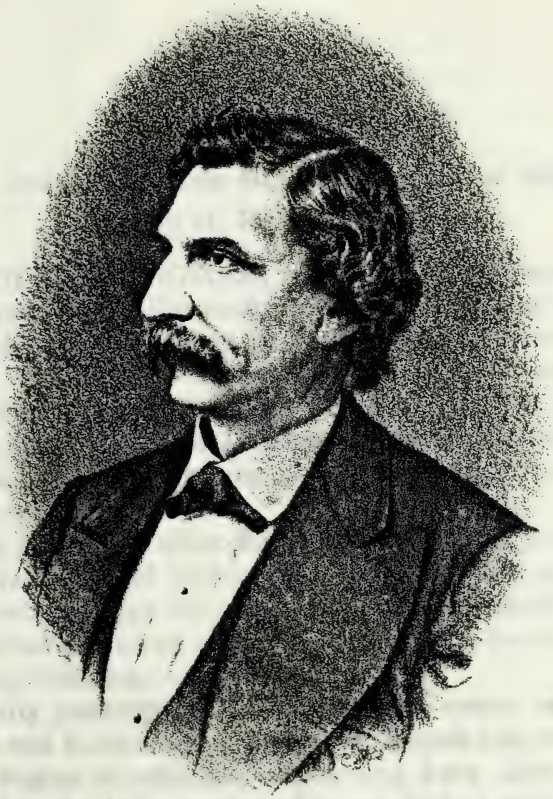
Governor Geary was married on the 12th of February, 1843, to Margaret Ann, daughter of James R. Logan, of Westmoreland County. Three sons were the issue of this marriage, one of whom died in infancy, another, Edward R., was killed, as has been noticed, in the battle of Wauhatchie, and the remaining one is now a cadet at West Point, in the third year of his course. Mrs. Geary died on the 28th of February, 1853, and in November, 1858, Governor Geary was married to Mrs. Mary C. Henderson, daughter of Robert R. Church, of Cumberland County, and has issue of three daughters and one son, the latter the first male child born to a Governor while exercising the executive trust.

Since the first edition of this work was issued, Governor Geary retired from office, his second term having expired January 21, 1873. His last annual message, which was generally regarded as his most able official communication, evinces a thorough comprehension of the varied interests of the Commonwealth; forcibly suggests the means by which they may be most effectually promoted; and, among other gratifying statements, announces a reduction of the public debt amounting to $10,992,662.54, being a little over twenty-nine per cent. of the State's liabilities in 1866.

The condition of the country and of the State during the period of his administration was such as to frequently render his official duties peculiarly difficult. New and important questions arising from the results of the Civil War were to be considered and adjusted. These responsibilities he assumed

and discharged with his usual firmness and intrepidity, winning for himself the unqualified respect and confidence of the masses of all parties.

Upon his retirement, the ex-Governor fixed his residence in Harrisburg, and instead of allowing himself the relaxation he so much needed, at once began to initiate plans for business upon an extensive scale. But truly, "in the midst of life we are in death." The ceaseless strain of public service, in war and in peace, had done its work upon a constitution that seemed incapable of exhaustion or fatigue. On Saturday morning, February 8th, 1873, as he sat at breakfast with his family, his head dropped suddenly upon his breast, and in that instant "the golden bowl was broken, and the spirit returned to God who gave it." Words are inadequate to express the sensation produced in the Capital, and throughout the Commonwealth and country, by an event so unexpected and mournful. The honors of a public funeral were accorded to the distinguished dead, and now near the scene of his last official honors and responsibilities he sleeps in the bosom of the State he had served so faithfully and loved so well.



J. F. Clarkson



## JOHN F. HARTRANFT,

GOVERNOR UNDER THE CONSTITUTION OF 1838.

*January* 21, 1873, *to January* ——.

JOHN FREDERICK, son, and only child, of Samuel E. and Lydia Bucher Hartranft, was born in New Hanover Township, Montgomery County, Pennsylvania, December 16th, 1830. The family is of German descent. Its ancestors came to this country some time between the years 1734 and 1746. Being farmers, they were attracted to that fertile and beautiful section of the State, where their descendants generally have continued to reside.

The parents are alike characterized for those personal virtues and practical habits which form the basis of a quiet, prosperous, happy life; and now, at an advanced age, are permitted to witness and participate in the honors of their distinguished son.

Thirty years ago, the common-school system of Pennsylvania was in its infancy; and select schools had not reached that degree of efficiency which they have since attained. Facilities for the instruction of young children were especially meagre and incomplete. The subject of this sketch received his first school lessons in his sixth year. At the age of ten, he had the good fortune to be placed under the tuition of Dr. John F. Evans, and after two years with him passed successively into the hands of Mr. Philip Cressman and Mr. Samuel Aaron, — gentlemen noted for their proficiency as educators. In his seventeenth year, he entered the preparatory department of Marshall College, then located at Mercersburg, Pennsylvania, where he continued two years, and when ready to enter the Sophomore class, was transferred to

Union College, Schenectady, New York, then under the presidency of the celebrated Dr. Eliphalet Nott. During his studies at Union, he ranked well in all his classes; but as civil engineering was to be his profession, he gave special attention to mathematics, and in that branch excelled the majority of his classmates. In three years he completed the collegiate course, graduating, in 1853, with credit for scholarship, and bearing from his *Alma Mater* the esteem of his instructors and associates. In March of his year of graduation he joined an engineer corps, employed to survey a railroad route from Wilkesbarre to the Delaware Water Gap, returning in July to attend the commencement exercises of his college, and receive his diploma. After fulfilling another brief engagement of a similar character, at the request of his father—who desired his companionship and assistance in his own business—he promptly abandoned a profession that had been his supreme wish, and for which his education had been specially designed. And if the history of his life teaches the young men of his native State, and of the country, any one lesson more effectually than another, it is that of filial affection and duty as the open highway to honor and distinction.

In the summer of 1854, he assumed his first political trust by accepting the position of Deputy, under M. C. Boyer, Esq., who was then Sheriff of Montgomery County. The Sheriff being a Whig, the election of a Democratic Deputy was indicative of an unusual degree of confidence in his character and qualifications. At the next regular election, in 1855, S. D. Rudy, Esq.,—a Democrat,—was the successful candidate for the sheriffalty; and the Democratic Deputy of his Whig predecessor having performed his duties to the entire satisfaction of all parties was continued in office.

It often happens that insignificant causes determine the events of human destiny. The appointment of John F. Hartranft as Deputy-Sheriff of his native county may be taken as an illustration. By enlarging the sphere of his acquaintance, and identifying him with political affairs, it gave a direction to the current of his future life that he had never anticipated nor desired.

During the two terms of service as Deputy-Sheriff, he read law under the tuition of James Boyd, Esq., of the Norristown bar; and as the rule of court required a year's study in a law-office, in order to admission, he entered the office of A. B. Longaker, Esq., and having fulfilled the condition, and passed a satisfactory examination, was duly admitted in 1859. Meanwhile, having taken a lively interest in politics, his influence was felt upon all political questions which to any extent affected the feelings and views of the community; and the degree of his personal popularity, at home, will be sufficiently indicated by the fact that he was twice elected to office, being, in both instances, the candidate of the minority party.

But it is upon his military, rather than his civil record that his title to the present consideration of his countrymen is securely established. Only a bare outline of this is all that prescribed limits will allow. From the date of his permanent residence in Norristown, he had manifested an active interest in military organizations; and at the outbreak of the civil war was Colonel of the 1st Regiment of Montgomery County Militia, consisting of six companies. Under the law as it then stood, five companies constituted a regiment.

The call of President Lincoln for seventy-five thousand volunteers was issued on Saturday, but by some mishap did not reach Norristown till the following Monday. Upon its receipt, Col. Hartranft immediately gave notice to the company commanders of his intention to offer the services of the regiment to the Governor of the Commonwealth. The same evening the citizens of Norristown were convened, and addresses were delivered, tending to excite popular enthusiasm and promote enlistment for the defence of the Union. Early next morning, the Colonel started for Harrisburg, had an interview with the Governor, and was cordially accepted.

In three days seven companies were filled to the required standard, and on Saturday were reported at Harrisburg for duty. Permission was requested to recruit the remaining three companies in Montgomery County, but was not granted, for the reason that the excitement and peril produced by the

attack on the 6th Massachusetts in the streets of Baltimore, were deemed such as to demand the immediate presence of all available troops on the line of communication between the loyal States and the capital. Three companies were accordingly supplied from Camp Curtin. On Sunday night the regiment moved down to Philadelphia, reporting to General Patterson; and, as soon next morning as transportation could be procured, was forwarded to Perryville. In the meantime, connection by rail between that point and Washington had been severed. But after a brief detention, five companies were conveyed by steamer to Annapolis, where they joined the forces of General Butler; the remaining five following in the course of two or three days. The soldiers were still arrayed in citizens' dress, and carried their cartridges in their pockets. Uniforms, however, were quickly supplied; but owing to haste, or the rascality of contractors at that early stage of the war, they proved worthless. Indignant at the imposition, Colonel Hartranft hastened back to Harrisburg, made complaint to the authorities, obtained better clothing for his men, and on the 8th of May the regiment was ordered to Washington. About the 1st of June, the command, having received the necessary equipage from the general Government, was placed in camp. In discipline, the men were rapidly improving; but they were still the worst-clothed troops that Pennsylvania had sent to the field. The explanation of this circumstance is found in the fact that the regiment was hurried to the front, while the others remained till they had received suitable equipment. After a brief period in camp, Colonel Hartranft received orders to report to Colonel Heintzleman; and was assigned to the brigade commanded by Colonel William B. Franklin, which was posted with a view to covering Alexandria. Nothing worthy of note occurred till June 30th, when Colonel Hartranft's outer picket-line was attacked by a party of Confederate scouts. This was the first instance in which any portion of the command was exposed to the fire of the enemy. One man was killed and one wounded. The assailants lost several killed

and wounded; and after this exchange of shots the Rebels hastily retired, while the pickets fell back to an inner line.

Preparations were then being made for a general forward movement, which soon culminated in the famous battle of Bull Run. Colonel Hartranft's regiment having been mustered in on the 20th of April, the period of enlistment expired just on the eve of that engagement. In view of the approaching conflict, the Colonel was extremely anxious to retain the men in the service; and to induce them to remain, he went to General McDowell's headquarters, and prevailed upon him to write a letter requesting them to waive their claim to a discharge till after the battle. But when the question was submitted to the companies, they declined to accede to the request. Under the circumstances, their Colonel was powerless either to persuade or compel; and as the regiment marched to the rear to be mustered out, he advanced to the front to tender his own services to McDowell, and was assigned to duty with General Franklin, on whose staff he served with conspicuous gallantry throughout that first bloody day, which covered so many loyal faces with shame and filled so many loyal hearts with mourning.

Colonel Hartranft was commissioned for the three-years' service, July 27th, 1861, and, in September following, organized at Camp Curtin, Harrisburg, the 51st Regiment of Pennsylvania Volunteer Infantry. Some of the officers, and many privates of his three-months regiment, joined the new organization; and subsequently proved, by heroic devotion to the flag, that their refusal to wait for the battle of Bull Run was not owing to any want of loyalty, or a craven fear of facing the enemy. The command was mustered by companies into the service of the United States, the regimental stand of colors being received on the 5th of November, from the hand of Governor Curtain, who said: "I am looking hundreds in the face, now in perfect health, who will never return to their homes, families, and friends; but their memories will be enshrined in the hearts of the generations of future ages." It needed not the inspired foresight of a prophet to enable him

to utter these solemn words. The regiment left Camp Curtin on the 18th for Annapolis, Maryland. At that time Major-General Burnside was organizing an expedition there for service on the coast of North Carolina. The 51st was incorporated with his corps, and assigned to Reno's brigade of Foster's division.

On the 6th of January, 1862, the fleet conveying the troops weighed anchor and moved down the bay in three squadrons. The immediate point of attack was Roanoke Island. At early dawn of February 7th, a landing was effected, and the troops were immediately put in motion. The regiment participated in Foster's attack, which drove the enemy from their works in haste and confusion. Reno, meanwhile, had thrown himself upon the line of retreat, so that the whole Rebel force, with its artillery and small arms, was captured.

On the 13th of March, Burnside landed his forces on the bank of the Neuse River, about fifteen miles below Newbern, and marched against the city without delay. In the dispositions for the attack, Foster occupied the right, Reno the left, and Parke the centre of the Federal line. The defences consisted of "thirteen finished redans, bristling with cannon, and protected in front by an almost impassable morass filled with fallen timber." Skirmishing commenced early in the morning. About noon the whole line became engaged; and the conflict continued three hours and a half with varying results. During this time the 51st Pennsylvania had been held in reserve, within seventy-five yards of the enemy's works, and, though severely exposed and suffering, had not fired a musket. As all soldiers will readily comprehend, this was a service much more trying to their firmness and spirit than the dangers of a direct assault. At last, General Reno, growing impatient at the delay of victory, and irritated at the loss he was sustaining, ordered up the 51st for the decisive charge. After a careful survey of the approaches by Colonel Hartranft, Lieutenant-Colonel Bell was directed to lead the left wing of the regiment to the attack. Crossing a ravine obstructed by fallen timber, and moving rapidly up the opposite bank, Bell

rushed upon the redan, routed the enemy, and planted his flag on the ramparts. General Reno, in his official report, speaking of the manner in which this movement was conducted, says: "All this was gallantly executed, and the enemy fled precipitately from all their intrenchments. Some fifty prisoners were captured in the works, many severely wounded. Upon reaching the Rebel intrenchments, I was rejoiced to see our flag waving along the entire line." This ended the fighting, and at 4 P. M. the Federal commander was in possession of the city.

On the 16th of April, the regiment was again engaged in an action known as the battle of Camden. Colonel Hartranft was not present on that occasion, having received a furlough of twenty days that he might visit his sick family. After burying two of his children, he hurried back to the scene of duty, arriving just in time to salute his men on their return from the battle. In no other instance during the war, while it remained under his personal command, was his regiment engaged when he did not participate.

In June following, the Colonel received a communication from a friend in the rear, requesting him to permit the use of his name as a candidate for the office of Surveyor-General, to which he promptly returned the following reply: —

"CAMP RENO, June 24th, 1862.

"FRIEND B. — I thank you and my friends in Blair County for your kind intentions; but I do most positively decline to have my name brought before the public as a candidate for office. I desire to serve my country in no other position, during the continuance of the rebellion, than that in which it has been my fortune to serve since President Lincoln's proclamation calling out 75,000 volunteers."

Major-General Pope having been appointed to command the Army of the Potomac, and being threatened by a combined movement of the forces of Lee and Jackson, Burnside received orders, on the 12th of August, to hasten with his column to his support. Landing at Fredericksburg, he pushed forward two divisions to Cedar Mountain, where

they formed a junction with McDowell's corps. But the united columns were not able to resist the enemy. In the retreat to the Rappahannock, Colonel Hartranft — temporarily commanding Ferrero's brigade — was directed to cover the rear of the Federal forces. The post was critical and responsible in the extreme; and while a gallant front was maintained, and every precaution taken, the Colonel's opinion was that, had not Longstreet been inevitably detained two hours, his brigade must have been cut off and captured. After considerable manœuvring, Pope formed in line to receive the enemy on the same ground where McDowell had fought the battle of Bull Run. Kearney held the right and Reno the left, in that part of the field where Colonel Hartranft was immediately engaged. The line of retreat was by the Centreville road, and the Confederates, flushed with recent successes, were advancing to deal a more decisive blow; the Federal troops being impeded by their trains and discouraged by previous reverses. To protect the trains, and keep the road clear, Graham's Battery had been placed in good position; and that he should be able to hold the ground was a matter of the last importance. Ferrero, having returned, and resumed command of the brigade as ranking Colonel, perceived the danger and the necessity of support, and with the 51st New York, the 21st Massachusetts, and the 51st Pennsylvania, made a stand that could not be shaken by the utmost efforts of the enemy. As soon as the attempt to drive him from his position had failed, Colonel Ferrero moved off with the 21st Massachusetts, supposing the other two regiments would follow; but Colonel Hartranft, having received orders to that effect from General Reno, remained till near midnight with his own regiment, and the 51st New York, under Lieutenant-Colonel Potter, for the purpose of checking any further effort to disturb the rear of the Federal column, when he received a second order from Reno, saying that Kearney's brigade would suffice to protect the retreat, and that he should retire to Centreville. Two days subsequent, General Reno's corps was moved on a line parallel with the road from

Centreville to Fairfax Court-House, and took a new position. The cavalry reconnoitred in front, and Colonel Hartranft, with his regiment and two batteries, held the rear during the movement. When the advance of the line became engaged, Hartranft brought forward his guns — placing his infantry in support — and opened fire on the enemy. While thus engaged, an aid arrived from Reno with an order directing him to abandon the ground he had assumed, and immediately take position on the right of the line. But convinced that he was right, he declined to obey; and mounting, rode to headquarters for the purpose of explanation. When he had stated the facts of the situation, the General thanked him for having taken the responsibility of disobedience, declaring that by every consideration the position should be maintained, and promising to send to his support the first available reinforcements.

This particular series of engagements, in which Colonel Hartranft's command took a part so active and responsible, will be known in the history of the war as the battle of Chantilly. The days on which it was fought were, perhaps, the darkest and most disastrous that ever closed upon the republic. For the moment it seemed as though Kearney and Stevens had died in vain; as if it were without avail that Hartranft and his gallant companions had staked their lives to cover the retreating columns, and save the capital of the nation. But it was not in vain. The soldiers who sustained the defeat had displayed qualities, in their heroic attempts to avert it, which gave promise of the triumphs that crowned their arms within the two succeeding years. It has been given to the highest type of men to be greater in defeat than in victory.

After his defeat on this unfortunate field, Pope was relieved of the command of the Army of the Potomac, and McClellan restored. Still attached to Burnside's corps, Colonel Hartranft participated in the battle of South Mountain, the 14th of September. On the broad summit of the mountain, Ferrero's brigade had a very sharp encounter with the foe. The 17th

Michigan, a raw but gallant regiment, first engaged, and suffered severely. General Reno, supposing it had established a line on the edge of a wood, as he had directed, ordered Colonel Hartranft forward to its support. In moving to execute the order, the regiment, unsuspicious of danger, was suddenly and fiercely opened upon from the edge of the wood. The 17th Michigan had at first driven the enemy, but failing to make good the advantage gained, their opponents returned, and, waiting till the 51st was almost upon the points of their bayonets, opened a murderous fire. As quickly as possible the Colonel withdrew his command, and reforming under the protection of a fence, returned the fire until his ammunition was spent, when he was replaced by Colonel Potter with the 51st New York. The fire was thus maintained; and the cartridge-boxes having been refilled, the 51st Pennsylvania returned; and the enemy, pelted by Hartranft and Potter combined, finally retreated under cover of the darkness. It is well known that the gallant General Reno fell in this action, and it was the sad privilege of Colonel Hartranft to receive the last words of command that were issued from his lips.

The battle of Antietam, on the 16th and 17th, was but a continuation of that of South Mountain. Hooker's attack on the enemy's left during the afternoon of the 16th, and that of Mansfield and Sumner on the morning of the 17th, had proved complete successes. But in the meantime the troops of the Federal left and centre had remained passive spectators of the scene. About nine o'clock, however, the Ninth Corps was ordered to advance and carry the stone bridge on the extreme right of the Confederate line. Against this position, strong by nature and fortified to the utmost by the skill of the engineer, the 11th Connecticut and Cook's brigade, supported by Sturgis's division, were advanced. As this column approached along the valley, it was so hotly assailed by the enemy from the opposite heights, that it was obliged to halt and reply. The troops of Sturgis gained the head of the bridge. The 2d Maryland and the 6th New Hampshire

charged at a run with fixed bayonets, but were compelled to fall back by the accurate and concentrated fire to which they were exposed. These regiments behaved with admirable spirit; but failing of success were, after repeated efforts, withdrawn. Burnside, though chagrined by the failure, would not yet relinquish the attempt, and so resolved to try again with troops that he had seen tested at Roanoke, Newbern, and Chantilly.

General Ferrero came dashing up to Colonel Hartranft, and said: "*General Burnside orders the 51st Pennsylvania, Colonel Hartranft, to storm the bridge.*" The *manner* of communicating the order was a marked compliment. The usual mode would have conveyed it to General Ferrero, commanding the brigade, and from him to the Colonel of the 51st Pennsylvania. In the change of mode there was a special significance. Avoiding the road by which the first assailants had suffered so severely and been repulsed, the Colonel led his command along the rear of the heights overlooking the river till he gained a point directly opposite the bridge, when he faced about and moved down the slope directly against it. The moment the troops reached the open ground of the valley, the Rebel infantry on the heights poured upon them a destructive fire, and in crossing a fence that skirted the road, they suffered still more severely. At this point many men were killed, and two officers — Captains Hart and Bolton — were dangerously wounded. But, heedless of the death-dealing discharges, the brave fellows made directly for the bridge. Hartranft, leading the attack, had paused an instant to close up the ranks, when he was joined by his gallant friend, Colonel Potter, at the head of the 51st New York. The two commanders and their regiments had on previous occasions proved each other's mettle, and now uniting, with a shout that was distinct amid the thunders of the battle, they rushed forward, and the bridge was won. Burnside's entire corps now advanced, crossed the bridge, and occupied the heights beyond. But all this gallant devotion was to no purpose. The enemy being relieved by the slackening of the fire on the left, and strength-

ened by the arrival of a corps of fresh troops from Harper's Ferry, the Federal advance was compelled to recross the bridge, and forfeit the temporary advantage for which they had paid so dearly. The troops, however, did not retire till after a desperate contest. The 51st having exhausted its ammunition, Colonel Hartranft maintained his ground with fixed bayonets until the arrival of reinforcements obliged the enemy to withdraw. The loss of the regiment, killed and wounded, was one hundred and twenty-five, nearly one-fourth of its available strength at the opening of the conflict. Among the slain were Lieutenant-Colonel Bell and Lieutenants Beaver and Hunsicker, brave soldiers and estimable citizens. In view of Colonel Hartranft's services in this battle, as well as during the campaigns in North Carolina and Virginia, General Burnside entered his name on his list for promotion, as will be seen in the following letter addressed to General McClellan, September 25th, 1862:

"GENERAL: — I beg to recommend for promotion as Brigadier-Generals, Colonel William S. Clark, 21st Massachusetts Volunteers; Colonel J. F. Hartranft, 51st Pennsylvania Volunteers; and Colonel Edward Harland, 8th Connecticut Volunteers.

"These officers have served with me with faithfulness and distinction in North Carolina, where they took a prominent part in three battles. Colonels Clark and Hartranft then served in General Pope's Virginia campaign under the immediate direction of General Reno, by whom they were highly praised, and lately they and Colonel Harland have served with high credit to themselves in this campaign in Maryland.

"*For their arduous and faithful service, in which their bravery and skill as officers has highly distinguished them, I would most strongly recommend them to your favorable notice for a well-deserved promotion.*"

Upon the publication of General Burnside's letter, General Heintzleman availed himself of the opportunity to congratulate Colonel Hartranft as follows;

"COLONEL: — I have read General Burnside's letter recommending Colonel Clark and yourself for Brigadier-Generals.

"I well recollect your gallant services on General Franklin's staff at the first Bull Run battle, and have followed with interest your career in North Carolina. It will afford me much pleasure to hear that your services have been rewarded in this manner."

The promotion, however, though so richly merited, was long delayed. The Government did not intend to be unjust to any of its defenders. But if the claimants were equal in merit, they certainly were not in modesty. Colonel Hartranft thought only of his duty in the field, and no solicitations were made at Washington in his behalf.

The failure to pursue Lee, and the delays upon various pretences which succeeded the battle of Antietam, produced general discontent throughout the country, and with the hope of a more vigorous prosecution of hostilities, McClellan was superseded by the appointment of Burnside to the command of the army. By this change General Wilcox was placed at the head of the Ninth Corps. The enemy had retired from the field of Antietam to their intrenched heights in the rear of Fredericksburg. About the middle of December the Federal army crossed the Rappahannock, and made a general assault upon the Confederate lines. Owing to their great strength, as well as the gallantry of the defence, and probably the want of hearty co-operation with the Federal commander on the part of some of his principal subordinates, the attack proved a decided failure, and the whole army, recrossing the river, at once retired into winter-quarters. For two nights and a day Colonel Hartranft, commanding four regiments, held an advanced position in front of the Rebel centre, where he threw up intrenchments, and his troops were among the last to be withdrawn from the immediate presence of the enemy. The loss of his own regiment was twelve killed and seventy-four wounded.

General Burnside, being relieved from the command of the Army of the Potomac at his own request, was assigned to duty in the Department of the Ohio. In the beginning of April, 1863, Colonel Hartranft's regiment, with other

troops and two divisions of the Ninth Corps, were ordered to Kentucky. During the spring, the 51st was posted at various points in the interior of the State, to protect the people against raids by the guerillas of Wheeler, Morgan, and Pegram.

In June, the corps in Kentucky, temporarily commanded by General Parke, was ordered to the support of Grant before Vicksburg. In all the operations following this change, Colonel Hartranft commanded a brigade, though he had not received promotion. In the climate of Mississippi his health soon began to suffer. When his brigade was ordered to accompany Sherman in his advance against Jackson, he was so prostrated as to be unable to keep the saddle, and was obliged to direct the movements of his troops from an ambulance.

After the fall of Vicksburg and the occupation of Jackson, the Ninth Corps was returned to Burnside's command in Kentucky. The 51st took post at Camp Nelson in order to rest and refit; was thence moved to Crab Orchard; and after recruiting there, marched across the mountains, by way of Cumberland Gap, to Knoxville. Since the return from Mississippi, Colonel Hartranft had been disabled by the effects of disease, but soon after the arrival of his regiment in the Valley, he so far recovered as to be able to rejoin it, and in obedience to orders immediately assumed command of the Second Division of the Ninth Corps. Stirring times were at hand. Longstreet was moving, with a greatly superior force, to cut off and capture Burnside's entire command. As several railroads there converged, Campbell's Station was his objective point in this movement, and he had the advantage of the shortest and most direct road. But his design was discovered in time to frustrate it. Colonel Hartranft marched all night, dragging Benjamin's Battery over roads that were almost impassable, and reached the Station in advance of the Rebel commander, the head of whose column soon after appeared and opened a heavy fire. But the Colonel tenaciously clung to his position till the Federal army with all

its trains had passed, and then, falling back, took a new position. The fight had been obstinately maintained, not for victory, but to insure retreat for the main body of the army. In the execution of this purpose the gallant subordinate made successive stands till, under cover of the darkness, his chief escaped safely into Knoxville. In the subsequent defence of that city, Hartranft's command held the road leading into it from Cumberland Gap, and by throwing a dam across a mill-stream, he flooded the surrounding country for more than a mile, and thus rendered his position perfectly secure. Longstreet was delayed in his movements, and by the time he arrived, the Federal defences had been rendered impregnable. But by cutting off supplies he soon reduced the besieged to very short rations, when Sherman, dispatched by Grant with a heavy force, obliged him to raise the siege, and retire with a haste that barely saved him from destruction.

Their term of service having expired, the 51st returned home, and re-enlisting, the troops were granted at Harrisburg a veteran furlough. As was their due, they were everywhere hailed with the warmest manifestations of welcome. Upon arriving at Norristown, Colonel Hartranft and staff, with the five companies recruited in Montgomery County, were received with the most cordial and flattering demonstrations. The orator of the day, among other remarks expressive of the public gratitude and appreciation, said: "*It is to you, Colonel, that the regiment owes the character it bears. Your discipline in the camp, your foresight on the march, your coolness, bravery, and judgment on the battle-field, have won the confidence and love of your men, and made them heroes in the fight. They knew that you never ordered where you did not lead.*" A few days sufficed to recruit the regiment to its maximum, and upon the expiration of the furlough, it was rendezvoused at Annapolis, where the old Ninth Corps was reassembling.

A reinforcement of new recruits increased the strength of the Corps to twenty thousand men. In the absence of General Burnside, the command of the depôt was intrusted to Colonel Hartranft. All the new regiments were ordered to report

directly to him, and to his supervision was committed the whole work of equipment and reorganization.

The hero of Donelson, Shiloh, Vicksburg, and Chattanooga, having been appointed Lieutenant-General and Commander-in-Chief, was transferred from the West to the East, and immediately upon his arrival assumed in person the command of the Army of the Potomac. Henceforward there was to be no more debating, and war was to be divorced from politics.

The Ninth Corps was reviewed by President Lincoln as it passed through Washington to join the columns of Grant on the Rapidan. In the grand movements that were immediately inaugurated, the Corps took position between those of Hancock and Warren. Only about one-fourth of it was composed of veteran troops. Grant was now to meet Lee on the same ground where Hooker had been defeated. Battle was imminent, and the necessary dispositions were being rapidly made. The ground was aptly designated a wilderness, and its peculiar character was to give name to a battle that will be ever memorable in the country's history. The bloody issue was joined on the 6th of May. Owing to the dense undergrowth, Colonel Hartranft had some difficulty in getting his brigade into position. His instructions were to support Potter's division, which had been ordered to attack a part of the Rebel line that was posted in a woods; but the enemy were discovered to be on Hartranft's instead of Potter's front, and so the assault devolved upon his brigade, Potter supporting him on the flank of his movement. The fighting was necessarily uncertain amid the entanglement of the forest, and without decisive effect upon either side. In the afternoon General Wilcox, who commanded the division to which Colonel Hartranft's brigade was attached, arrived and assumed command, when the brigade was ordered to renew the assault. But so difficult was the ground, and so obstinate the resistance of the enemy, that Hartranft rode up to Wilcox, and said: "*General, this advance is against my judgment.*" Quickly assigning the reasons for his opinion, they were at

once communicated to General Burnside, who expressed his approval, and directed the order for the attack to be countermanded. Subsequent information proved that the enemy had been heavily reinforced, and disclosed the fact that Hartranft had been fighting Longstreet all day, to whose repulse he had recently contributed before the defences of Knoxville.

Colonel Hartranft kept his saddle throughout these operations; but ordered the officers of his staff to dismount, and assist in directing the movements of the several regiments, as they were composed mostly of raw troops, and from the concealment of the enemy were peculiarly liable to be thrown into confusion. When the second advance was ordered, he rode along the entire front of his line, pausing to give special directions and encouragement to each regiment, though he was every moment exposed to the fire of the enemy's skirmishers. The men being strangers to him, he felt it to be particularly important that his personal example should be such as would inspire them with firmness in themselves and confidence in their leader; and he was known to say afterward that, as he rode along the line the morning following the battle, he heard from the troops words which assured him that he could henceforth send them anywhere, whether he went himself or not.

The great battle of Spottsylvania was fought on the 12th of May. The Ninth Corps on the morning of that day moved in columns of brigades, and crossed Nye River, about a mile and a half to the left of the position from which General Grant was directing the movements of the whole army.

Hancock's famous charge on the centre of the Rebel line was like a tornado. For the time being everything went down before it. Many prisoners and guns were taken. But his columns were dreadfully shattered by the assault; and the gallant enemy partially recovering from the dreadful shock, and bringing up their reserves, had returned, and were beginning to drive back the victorious assailants. But fortunately, at this juncture, the head of the advance column of

the Ninth Corps struck the flank of the enemy, and arrested their progress. Meanwhile Colonel Hartranft's line was severely exposed to an enfilading fire. To escape this he changed front, pushed out skirmishers, and was about to advance in force, when he received an order from Burnside to report with his entire brigade to General Hancock. But while moving rapidly to execute the order, a countermand was received, directing him to return to the position he had just left, and attack with all his force. Before proceeding to execute the order, he desired to send out skirmishers for the purpose of feeling the enemy's position. But General Burnside, having been recently charged with being a little dilatory in his movements, would not permit the delay. The result was the two columns met in a woods obstructed with dense undergrowth; inevitable confusion ensued, a few prisoners were taken by both parties; but nothing decisive was accomplished on either side. Colonel Hartranft's opinion was, that had a skirmish-line been first advanced into the woods, the position and strength of the enemy would have been ascertained, and they could have been shelled out with little difficulty. From this day was dated his commission as Brigadier-General. His own judgment upon this coincidence was, that service and honors do not always correspond. The results of his fighting on the day of his promotion had been less satisfactory to himself than in any other instance during the war. He thought he had been by far more deserving after Antietam and Campbell's Station than after Spottsylvania. To cover the whole case was probably the intent of the Government, and whatever may have been the motives for postponing the recognition, no one will doubt its having been richly merited before it came.

In the prosecution of the campaign portions of the Federal troops crossed the North Anna River, but after considerable fighting were withdrawn, and the entire available strength of the army was immediately thereafter concentrated at Cold Harbor, where, on the first three days of June, was fought one of the bloodiest battles of the war. On the third day

Gen. Hartranft's brigade was posted near Bethesda Church. At six of the morning, he advanced and captured a line of works. The ultimate object of this movement was an attack upon the enemy's main line; but his judgment being that the attempt should not be made without the support of artillery, and the guns failing to arrive till three o'clock in the afternoon, the order of attack was countermanded by General Burnside. By declining the attempt, in the absence of artillery, an almost inevitable repulse was avoided, and many brave men were saved for a more practicable service at a future day.

On the 16th of June the army crossed the James. In almost all the operations attending upon that advance, Gen. Hartranft's brigade was actively engaged. None of these were either trifling, unimportant, or free from peril. During the two days immediately succeeding the passage of the river, he was wounded in the breast by a bullet, and the losses of his brigade, by death and wounds, amounted to sixty-five officers in a corps of a hundred and five, and seven hundred and thirty privates in a force of eighteen hundred. While the *mine* — so much talked of at the time — was in course of preparation, Hartranft's brigade protected the engineers and workmen. In the six weeks he was thus occupied, his losses, in killed and wounded, were six per day. Several days before the mine was completed, General Wilcox's division having been selected to make the attack, he notified General Hartranft of the fact, and informed him that his brigade would be detailed to lead the division. The night prior to the explosion the General was summoned to division headquarters, where the plan of attack was submitted to his examination. The failure that resulted has passed into history. Upon the explosion of the mine, the troops, both white and colored, moved to the assault with great gallantry; but their number being large and the crater narrow, they were pressed together in a solid mass, and presenting thus a conspicuous target, the enemy concentrated upon them their whole line of artillery and infantry fire. Under the circumstances the

troops could neither advance with success, nor retire with safety. Differently planned, the attempt, which proved so sad a disaster, might have resulted in a glorious victory. General Hartranft's opinion was that the troops should have been advanced in three columns—one to pass directly through the crater, and the other two to the right and left of it. It is well known that the explosion produced general consternation in the Rebel lines. The troops actually fled from the fort on the left of the crater, so that the column advancing against it might have entered without opposition. Besides, general attention was so fully concentrated upon the crater, that the fort on the right might certainly have been carried. These two forts secured, the central column could not have been driven out of the crater. In addition to these circumstances, the assaulting forces would have had room to form and advance in order. The plan adopted was sent down from headquarters; and as it was a matter that related directly to military science, a citizen-general could not feel himself at liberty to openly criticise its pretensions. General Hartranft had some narrow escapes amid the dangers of this day. One of his orderlies, while sitting between his knees, was mortally wounded, and another was instantly killed while standing at his side.

On the 18th of August, General Warren's corps, after a sharp engagement, succeeded in capturing the Weldon Railroad. The following day General Hartranft's brigade was placed in reserve, as support to Warren in case of an attempt to recapture the prize. About five P. M. an aid from division headquarters brought him an order to report to General Ayres. He had just left Ayres, and knew that no effort was being made to disturb the lines in his vicinity; but hearing discharges of musketry on the right and front of his own position, he replied, "*I will move in the direction of the fire;*" and galloping back found his command under arms. The facts of the situation were soon disclosed. Mahone's troops had broken through the line of Crawford's division, and were rapidly advancing. Prompt dispositions were made to receive

them, and after a spirited contest the enemy gave way and retired. The casualties, however, were unusual for so brief an action. General Hartranft's horse was killed under him. A staff officer at his side lost his horse, and was severely wounded. The Colonel of the 51st was shot through both legs, and permanently disqualified for duty. On some parts of the line the forces were engaged almost hand to hand. At five o'clock next morning, August 21st, Hartranft, in obedience to orders, posted his brigade directly across the railroad, facing the enemy, and threw up breastworks. About nine A. M. the enemy advanced, driving in his pickets; but on attempting his main line were terribly repulsed by the artillery, which Warren had so posted as to command the approaches, and behind which he had concentrated his entire force of infantry. In the fighting of the previous two days, though the Federal commander had taken and held the railroad, which was his objective point, he had received more damage than he had inflicted. In Hartranft's judgment the lesson was, never fight a battle in the woods. In the action at Reams' Station, a few days subsequent, his command was ordered to the support of Hancock, but arrived in time only to cover his retreat. The next engagement of any importance was that of Poplar Spring Church. In this battle General Hartranft volunteered to command the brigade of Colonel Humphreys — that officer's term of service having expired — and the offer being accepted, his own brigade was gallantly led by Colonel Harriman of the 37th Wisconsin. His command held the left of the Federal line. On his right our troops attacked, and were seriously repulsed; but owing to an intervening woods and a field of sorghum, these movements could not be distinguished; and the enemy, pursuing, occupied a part of the same crest on which he was posted, when an order was sent to him from General Meade's chief of staff to retire. But believing his position to be secure, he inquired whether the order was peremptory. The aid said it was not; but our troops having been repulsed, it was deemed prudent that he should fall back, so as to form a closer connection with the main line of the army.

After this action, reports of the campaign were ordered to be sent in to headquarters. When the army crossed the Rapidan, on the 5th of May, Hartranft's command numbered five thousand on paper — about three thousand being fit for duty. During the spring and summer the 37th and 38th Wisconsin and the 13th Ohio Cavalry, dismounted, were added to the brigade; but so severe had been its losses, that less than a thousand could be reported for service in the field. With this veteran remnant, during the autumn, he participated in the first battle of Hatcher's Run.

About December 1st, 1864, General Hartranft was assigned to the command of six new Pennsylvania regiments — the 200th, 205th, 207th, 208th, 209th, and 211th. On applying for permission to organize them into a division, his request was granted. The division was about five thousand strong, and was designated as the third of the Ninth Corps. The General's headquarters were at the "Avery House" — not a hotel, but a farmer's mansion, in the vicinity of Petersburg. Diligent attention was given to the discipline of his troops, and every possible means was employed to promote their efficiency.

Nothing of special interest occurred till March 25th — a day never to be forgotten in this country, as the date of the battle of Fort Steadman. Only the briefest possible allusion can here be indulged. At four o'clock A. M., General Hartranft was roused from sleep by an unusual movement of his signal corps on the roof of the house. Suspecting something of importance, he jumped out of bed, and before he could dress himself, report was made that the Rebels had broken through our lines at a point near the Appomattox. Captain Dallien, staff officer of the day, was dispatched in haste to General McLaughlin's headquarters for information; and returning, reported the capture of Fort Steadman, and the rapid advance of the enemy towards the river. Hartranft at once began to make dispositions for checking this dangerous movement. The 208th was sent to McLaughlin's support. Riding at full speed to Colonel Diven's headquarters, he

ordered him to take charge of this regiment, and make the best stand he could against any further attempts upon the left of our line. Pushing on to the camp of the 209th, nearly opposite the fort, he learned that the regiment had been withdrawn by order of General Wilcox, and upon arriving at his headquarters found that General, mounted, with his staff, his tents struck, and everything in readiness for a rearward move. Owing to the capture of his Adjutant-General, he did not know what part of his line, nor, in fact, whether any part of it, had been broken. Wilcox's first information of the grave event of the morning was received from Hartranft, who requested him to send a staff officer to conduct the 209th to a position near the fort. Then riding back to the camp of the 200th, Hartranft immediately moved it forward in line of battle, and, without waiting to throw out skirmishers, passed it across a ravine, and up the slope of a hill in the direction of the fort, posting it on the crest recently occupied as a camp by the 57th Massachusetts. The fire of the enemy was promptly directed upon this regiment, and soon became so severe that it yielded and fell back — the standard-bearer being killed, and the Colonel bringing off the colors. But the point was too important to be lost. So, rallying the men, General Hartranft sent them back, supporting them by the 209th, that had just come up and got into line. The determined efforts of the 200th had the effect of checking the enemy till reinforcements and the reserve artillery of the Ninth Corps could be brought forward and placed in position. In the meantime, the General had remained, mounted, with these advanced troops, though the exposure was so great that only one officer in four, bringing or conveying orders, had escaped being wounded.

Satisfied now that the advance of the enemy toward the river had been arrested, he returned to his rear, and found that the 205th and 207th, which he had ordered to be forwarded when he left his headquarters in the morning, had passed down the ravine, and taken position directly opposite

the fort. All the regiments of his division were now in line near the fort except the 211th, which soon after arrived.

At this juncture an order came to General Hartranft from General Parke, commanding the whole army that day, to retake Fort Steadman, and preparations were instantly begun for its execution. The signal was to be a certain movement of the 211th, which had replaced the 200th on the crest of the dangerous hill. But when all was ready, a second order was received, postponing the attack till the arrival of the Fifth Corps. But feeling certain of success, and fearful that he would not be able to communicate with all his regiments in time to countermand the attack, General Hartranft determined to disregard the order, and advance immediately to the assault. The result more than justified his decision. Confident in themselves, their cause, and their commander, the troops moved grandly to the encounter, and had the obstacles been much more formidable than they were, the triumph could have been no less certain. The Federal loss was two hundred and fifty, killed and wounded. In killed, wounded, and prisoners, the enemy's loss was not less than three thousand; but, what was of still greater importance, the success re-established the Federal line of investment. This deserves to be regarded as the most brilliant service of General Hartranft's military career; and that it was so considered by the Government, is evident from the following documents:

"HEADQUARTERS ARMY OF THE POTOMAC,
"March 27th, 1865.

"TO MAJOR-GENERAL J. G. PARKE,
"Commanding Ninth Army Corps.

"GENERAL: — The Commanding General directs me to acknowledge the receipt of your letter of this date, recommending Brigadier-General Hartranft, United States Volunteers, for the Brevet of Major-General of Volunteers, for his conspicuous gallantry in recapturing Fort Steadman during the action of the 25th inst., as well as for his industry and efficiency in organizing and disciplining his division, composed of new regiments.

"In reply, I am directed to inform you that, before the receipt of your letter, a recommendation of this same effect had been made by the Commanding General to Lieutenant-General Grant, to which a response was received, that this nomination had been made to the Secretary of War, and a telegraphic answer returned, that the appointment should be made. Since then the Commanding General is informed by telegraph that Brigadier-General Hartranft is brevetted Major-General, and the appointment has been forwarded by mail. Your recommendation is, however, forwarded to complete the record.

"I am, General, very respectfully,
"Your obedient servant,
"GEORGE D. RUGGLES,
"Assistant Adjutant-General."

"HEADQUARTERS NINTH ARMY CORPS,
"March 28th, 1865.

"BREVET MAJOR-GENERAL JOHN F. HARTRANFT,
"Commanding Third Division.

"GENERAL: — The Commanding General instructs me to transmit herewith copy of communication from Commanding General Army of the Potomac of yesterday's date, which will explain itself.

"He bids me say, however, in connection therewith, that such prompt recognition of your services on 25th inst., by the President, the Lieutenant-General, and the Major-General commanding this Army, affords him the greatest pleasure, and he begs you will accept his hearty congratulations on your well-deserved promotion.

"I am, General, very respectfully,
"Your obedient servant,
"P. M. LYDIG,
"Brevet Lieut.-Col. and A. A. General."

The final advance of the Federal army occurred April 2d, 1865. At daybreak General Hartranft's division attacked the Confederate lines immediately in front of Petersburg, and carried them, after a resistance which cost him in killed and wounded a thousand men. Many prisoners and guns were captured; and his skirmishers were the first Union

troops that entered the city. In the pursuit of Lee, which followed the evacuation of Richmond, his columns advanced as far as Nottaway Court-House, but were not again engaged with the enemy.

The Ninth Army Corps was the first to return to Washington. Upon its arrival, General Hartranft was detailed by Secretary Stanton as special Provost-Marshal, to take charge of the conspirators about to be tried for the assassination of President Lincoln. In the performance of this service and other duties arising therefrom, he was engaged till the middle of July, when he was ordered to the Department of Kentucky, and appointed by General Palmer on a military commission for the trial of guerillas and other outlaws. In January, 1866, he was honorably mustered out of service. The esteem in which the Government held him as a man and a soldier will be best understood from the following communication:

"War Department,
"*Washington*, August 29th, 1866.

"Sir:—You are hereby informed that the President of the United States has appointed you 'Colonel of the Thirty-fourth Regiment of Infantry,' in the service of the United States, to rank as such from the twenty-eighth day of July, one thousand eight hundred and sixty-six. Should the Senate at their next session advise and consent thereto, you will be commissioned accordingly.

"Immediately upon receipt hereof, please to communicate to this Department, through the Adjutant-General of the Army, your acceptance or non-acceptance, and with your letter of acceptance return the oath herewith enclosed, properly filled up, subscribed and attested, and report your age, birthplace, and the State of which you were a *permanent resident*.

"Edwin M. Stanton,
"Secretary of War."

"Colonel John F. Hartranft,
"34th Regiment U. S. Infantry."

This appointment was unsolicited and unexpected, and as

he had decided to resume the pursuits of civil life, it was thankfully acknowledged, but respectfully declined.

In August, 1865, he was requested to permit the use of his name as a candidate for the office of Auditor-General, but did not consent till the morning of the day on which the convention assembled. He was nominated on the first ballot — the vote being made unanimous before it was declared — and elected by a majority of nearly twenty-three thousand. In 1868 he was renominated and re-elected by a handsome majority.

The manner in which he discharged the duties of this trust may be inferred from his nomination for the office of Governor, April 9th, 1872, and his election, on the 10th of October, by a majority exceeding thirty-five thousand. *Three times submitted to the test of the popular vote, in the course of seven successive years, his signal success, in each instance, must be regarded as a mark of extraordinary respect and confidence on the part of the people of his native State.* He was inaugurated with the usual ceremonies, January 21st, 1873.

Governor Hartranft is in person tall and prepossessing. A vigorous constitution, and an active life, regulated by strictly temperate habits, have endowed him with superior powers of endurance. The balance of his intellectual and moral powers is well sustained. A few words will paint a truthful portrait. In boyhood dutiful and exemplary. At school and college thoughtful, studious, and regardful of authority. Among his fellow-students chiefly distinguished for those qualities which ripen into the leadership of men. Reserved in demeanor. Patient in investigation. Sound in judgment. Reticent in speech. Prompt and swift in execution. In the very prime of manhood, he has assumed the duties of the chief magistracy, supported by the best wishes of the people of a grand Commonwealth.

Governor Hartranft was married January 26th, 1854, to Sallie Douglas Sebring, daughter of William L. Sebring, of Easton. Of this marriage there were six children, of whom four are living — two sons and two daughters.

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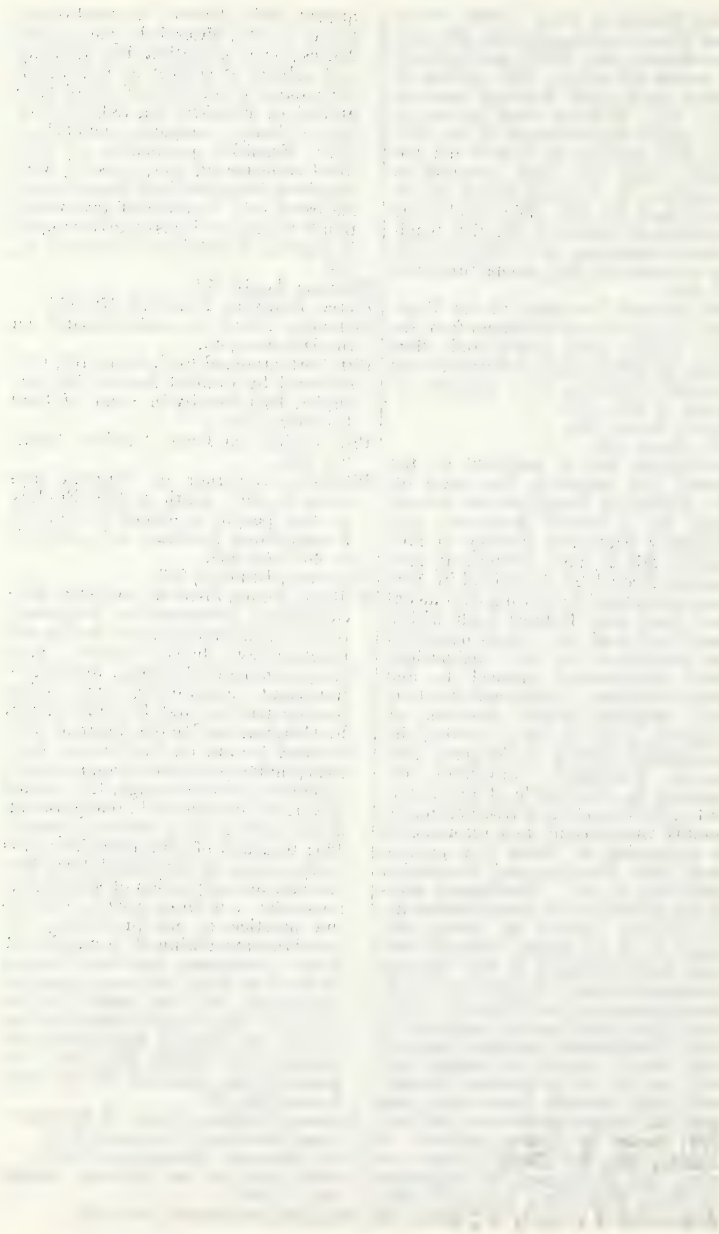
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